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THE

PARLIAMENTARY

OR

CONSTITUTIONAL

Hiſtory of England;

BEING A

FAITHFUL ACCOUNT

Of all the

Moſt remarkable TRANSACTIONS In PARLIAMENT,

From the earlieſt TIMES,

TO THE

Reſtoration of King CHARLES II.

COLLECTED

From the RECORDS, the JOURNALS of both HOUSES, original MANUSCRIPTS, ſcarce SPEECHES, and TRACTS; all compared with the ſeveral Cotemporary Writers, and connected, throughout, with the Hiſtory of the Times.

By SEVERAL HANDS.

——*Juvat integros accedere Fontes.*

VOL. XI.

From *May* 20, 1642, to the Battle of *Edgehill* in *October* following.

LONDON,

Printed, and ſold by WILLIAM SANDBY, againſt *St. Dunſtan's Church, Fleet-ſtreet*. MDCCLIII.

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THE

Parliamentary Hiſtory

OF

ENGLAND.

ON the 20th of *May*, the Houſe of Lords took into Conſideration the preſent Dangers and Diſtractions of the Kingdom; and appointed a Committee of eight Peers to peruſe all the *Meſſages* and *Declarations* which had come from the King, to collect together all the material Expreſſions therein that concern'd the Parliament, and to report them to the Houſe. An. 18. Car. I. 1642. May.

This Committee, immediately, withdrew; and, very ſoon after, the Lord *Kymbolton* brought in the following *Reſolutions*, which were afterwards agreed to by both Houſes; and, with a *Petition* to the King annexed, were *ordered* to be printed and publiſhed.

Reſolved, upon the Queſtion, 'That it appears that the King, ſeduced by wicked Counſel, intends to make War againſt the Parliament; who, in all their Conſultations and Actions, have propoſed no other The Parliament reſolves, That the King intends to make War againſt them, &c.

An. 18. Car. I. 1642. May. other End unto themſelves, but the Care of his Kingdoms, and the Performance of all Duty and Loyalty to his Perſon.' *(a)*

Reſolved, &c. 'That whenſoever the King maketh War upon the Parliament, it is a Breach of the Truſt repoſed in him by his People, contrary to his Oath, and tending to the Diſſolution of this Government.'

Reſolved, &c. 'That whoſoever ſhall ſerve or aſſiſt him in ſuch Wars, are Traitors by the Fundamental Laws of this Kingdom; and have been ſo adjudged by two Acts of Parliament *(b)*; and ought to ſuffer as Traitors.'

The *Petition* ſent to the King, with the above *Reſolutions*, was as follows:

To the KING's *Moſt Excellent Majeſty,*

The HUMBLE PETITION *of the* LORDS *and* COMMONS *aſſembled in Parliament.*

Their Petition ſent to his Majeſty with thoſe Reſolutions.

'YOUR Majeſty's loyal Subjects, the Lords and Commons in this Parliament, do humbly repreſent unto your Majeſty, That notwithſtanding your frequent Profeſſions to your Parliament and the Kingdom, and the late Expreſſion in your *Anſwer* of the 13th of *May*, to the *Petition* of the County of *York*, *That your Deſire and Intention is only the Preſerving of the true* Proteſtant *Profeſſion, the Laws of the Land, the Liberty of your People, and the Peace of the Kingdom*; nevertheleſs, with great Grief, we perceive, by your *Speech* of the 12th of *May*, and the Paper printed in your Majeſty's Name, in the Form of a *Proclamation*, bearing Date the 14th of *May*, and other Evidences, that, under Colour of raiſing a Guard to ſecure your Perſon, (of which Guard, conſidering the Fidelity and Care of your Parliament, there can be no Uſe) your Majeſty doth command Troops, both of Horſe and Foot, to 'aſ-

(a) The Words, *ſeduced by wicked Counſel*, were added by the Commons, upon Mr. *Pymme*'s Report of the Conference held with the Lords. *Commons Journals.*

(b) 11. *Richard* II. and 1. *Henry* IV.

'assemble at *York*; the very Beginnings whereof 'were apprehended by the Inhabitants of that Coun- 'ty to be an Affrightment and Diſturbance of your 'Majeſty's liege People, as appears by their *Petition* 'preſented to your Majeſty; the Continuing and 'Increaſe of which Forces is, and muſt needs be, 'a juſt Cauſe of great Jealouſy and Danger to your 'Parliament, and to your whole Kingdom. An. 18. Car. I. 1642. May.

'Therefore we do humbly beſeech your Majeſty 'to disband all ſuch Forces, as, by your Command, 'are aſſembled; and relying for your Security, as 'your Predeceſſors have done, upon the Law, and 'the Affections of your People, you will be pleaſed 'to deſiſt from any further Deſigns of this Nature, 'contenting yourſelf with your uſual and ordinary 'Guards; otherwiſe we ſhall hold ourſelves bound 'in Duty towards God, the Truſt repoſed in us 'by the People, and the Fundamental Laws and 'Conſtitutions of this Kingdom, to employ our 'Care and utmoſt Power to ſecure the Parliament, 'and to preſerve the Peace and Quiet of the King- 'dom.'

In the Debate on the ſecond of the above *Votes*, the Lord *Herbert* of *Cherbury*, ſpeaking theſe Words, *I ſhould agree to it, if I could be ſatisfied that the King would make War upon the Parliament without Cauſe*, he was commanded to withdraw; but, becauſe it was then late, his Lordſhip was committed to the Gentleman-Uſher, for the preſent, untill the Houſe took this Buſineſs into further Conſideration. The Lord Herbert cenſured for objecting againſt them.

The next Day the Lord *Herbert* preſented a Petition to the Lords, declaring his Sorrow for letting fall certain Words in the midſt of a Period, which had given Offence; and therefore deſired their Lordſhips benign Interpretation of them. This Petition ſatisfied the Houſe, and he was releaſed upon it.

His Lordſhip then moved the Houſe, That he might have Leave to go into the Country for his Health; and, if he could not find it there, to go be-

An. 13. Car. 1. 1642. May.

yond Sea for it, to *France*, to the *Spa*, or elſewhere; which was granted; but he went directly to the King at *York*, as will appear in the Sequel.

The Lords being informed, That a Book, intitled, *An* Anſwer, *by way of* Declaration, *to a* Printed Paper, *intitled, a* Declaration *of both Houſes of Parliament, in* Anſwer *to his Majeſty's laſt* Meſſage *concerning the* Militia, was put out in the King's Name, which the Houſe conceived to have many Expreſſions in it, laying Imputations on the Parliament: It was *ordered*, That the Printer (*c*) ſhould be ſent for, and to bring his Warrant or Authority with him for printing that Book. The ſaid *Anſwer* was as follows: (*d*)

The King's Anſwer to the Parliament's laſt Declaration relating to the Militia.

'WE very well underſtand how much it is below the High and Royal Dignity wherein God hath placed us, to take Notice of, much more to trouble ourſelf with anſwering, thoſe many ſcandalous and ſeditious Pamphlets and printed Papers, which are ſcattered with ſuch great Licence throughout the Kingdom, notwithſtanding our earneſt Deſire, ſo often in vain preſſed for a Reformation; though we find it evident, That the Minds of many of our weak Subjects, have been, and ſtill are, poiſoned by thoſe Means; and that ſo general a Terror hath poſſeſſed the Minds and Hearts of all Men, that while the Preſſes ſwarm, and every Day produceth new Tracts againſt the eſtabliſhed Government of the Church and State, moſt Men want the Courage or Conſcience to write, or the Opportunity and Encouragement to publiſh, ſuch com-

(*c*) *Robert Barker*, the King's Printer, who attended accordingly, and produced the Secretary of State's Warrant as his Voucher, which we ſuppoſe gave ſufficient Satisfaction to the Lords; for we find no more of this Matter.

(*d*) The Reaſon of the King's calling this *An* Anſwer, *by way of* Declaration, *to a* Printed Paper, *intitled a* Declaration, and not *An* Anſwer *to the Parliament's* Declaration, was, becauſe it was printed by Order of both Houſes, without any previous Preſentment or Communication thereof to his Majeſty, as before obſerved in our Tenth Volume, p. 491.

'compoſed ſober Animadverſions, as might either 'preſerve the Minds of our good Subjects from ſuch 'Infection, or reſtore and recover them when they 'are ſo infected: But we are contented to let ourſelf 'fall to any Office that may undeceive our People, 'and to take more Pains this Way by our own Pen, 'then ever King hath done, when we find any 'Thing that ſeems to carry the Reputation and 'Authority of either, or both Houſes of Parlia- 'ment; and will not have the ſame refuted or diſ- 'puted by common and vulgar Pens, till we are 'thoroughly informed whether thoſe Acts have, in 'Truth, that Countenance and Warrant they pre- 'tend. Which Regard of ours we doubt not but, 'in Time, will recover that due Reverence (the 'Abſence whereof we have too much Reaſon to 'complain of) to our Perſon and our *Meſſages*, which 'in all Ages hath been paid (and no doubt is due) 'to the Crown of *England*.

An. 18. Car. I. 1642. May.

'We have therefore taken Notice of a printed 'Paper, intitled, *A* Declaration *of both Houſes of* 'Parliament, *in* Anſwer *to our laſt* Meſſage *con- 'cerning the* Militia, *publiſhed by Command*: The 'which we are unwilling to believe (both for the 'Matter of it, the Expreſſions in it, and the Man- 'ner of publiſhing it) can reſult from the Conſent 'of both Houſes: Neither do we know by what 'lawful Command ſuch uncomely and irreverent 'Mention of us can be publiſhed to the World. 'And though *Declarations* of this Kind have of late, 'with too much Boldneſs, broken in upon us and 'the whole Kingdom, when one, or both Houſes 'have thought fit to communicate their Counſels 'and Reſolutions to the People; yet we are unwil- 'ling to believe, that ſuch a *Declaration* as this 'ſhould be publiſhed in *Anſwer* to our *Meſſage*, 'without vouchſafing at leaſt to ſend it to us as their '*Anſwer*: Their Buſineſs, for which they are met 'by our Writ and Authority, being to counſel us 'for the Good of our People, not to write againſt 'us to our People; no Conſent of ours, for their

18. Car. I. 1642. May.

'long continuing together, enabling them to do 'any Thing, but what they were firſt ſummoned 'by our Writ to do. At leaſt we will believe, 'though Miſunderſtanding and Jealouſy (the Ju- 'ſtice of God will overtake the Fomenters of that 'Jealouſy, and the Promoters and Contrivers of 'that Miſunderſtanding) might produce (to ſay no 'worſe) thoſe very untoward Expreſſions; yet if 'thoſe Houſes had contrived that *Declaration* as an '*Anſwer* to our *Meſſage*, they would have vouch- 'ſafed ſome *Anſwer* to the *Queſtion* propoſed in 'ours, which we profeſſed did and muſt evidently 'prevail over our Underſtanding; and, in their 'Wiſdom and Gravity, they would have been ſure 'to have ſtated the Matters of Fact, as (at leaſt to 'ordinary Underſtandings) might be unqueſtion- 'able: Neither of which is done by that *Declara- 'tion.*

'We deſired to know why we were, by that Act, 'abſolutely excluded from any Power or Authority 'in the Execution of the *Militia*; and we muſt 'appeal to all the World, Whether ſuch an At- 'tempt be not a greater and juſter Ground for 'Fear and Jealouſy in us, than any one that is 'avowed for thoſe deſtructive Fears and Jealouſies, 'which are ſo publicly owned, almoſt to the Ruin 'of the Kingdom. But we have been told, *That 'we muſt not be jealous of our Great Council of both 'Houſes of Parliament.* We are not, no more than 'they are of us their King; and hitherto they have 'not avowed any Jealouſy of, or Diſaffection to, 'our Perſon; but imputed all to our evil Counſel- 'lors, to a malignant Party that are not of their 'Minds: So we do (and we do it from our Soul) 'profeſs no Jealouſy of our Parliament; but of 'ſome turbulent, ſeditious, and ambitious Natures 'which, being not ſo clearly diſcerned, may hav 'an Influence even upon the Actions of both 'Houſes: And if this *Declaration* hath paſſed h 'ſuch Conſent, (which we are not willing to 'lieve) it is not impoſſible but that the Apprel

'ſion of ſuch Tumults, which have driven us 'from our City of *London*, for the Safety of our 'Perſon, may make ſuch an Impreſſion in other 'Men, not able to remove from the Danger, to 'make them conſent, or not to own a Diſſent, in 'Matters not agreeable to their Conſcience or Un-'derſtanding. An. 18. Car. I. 1642. May.

'We mentioned, in that our *Anſwer*, our Diſ-'like of the putting of their Names out of the Bill 'whom before they recommended to us in their 'pretended *Ordinance*, and the leaving out, by ſpe-'cial Proviſion, the preſent Lord Mayor of *Lon-'don*, to all which the *Declaration* affords no *An-'ſwer*; and therefore we cannot ſuppoſe it was 'intended for an *Anſwer* to that our *Meſſage*, which 'whoſoever looks upon, will find to be in no De-'gree anſwered by that *Declaration*.

'But it informs all our Subjects, after the Men-'tion with what Humility the *Ordinance* was pre-'pared and preſented to us, (a Matter very evident 'in the *Petitions* and *Meſſages* concerning it) and 'our Refuſal to give our Conſent, notwithſtanding 'the ſeveral Reaſons offered of the Neceſſity there-'of, for the Securing of our Perſon, and the Peace 'and Safety of our People, (whether any ſuch Rea-'ſons were given, the Weight of them, and whe-'ther they were not clearly and candidly anſwered 'by us, the World will eaſily judge) *That they were 'at laſt neceſſitated to make an* Ordinance *by Authority 'of both Houſes, to ſettle the* Militia, *warranted there-'unto by the Fundamental Laws of the Land:* But if 'that *Declaration* had indeed intended to have an-'ſwered us, it would have told our good Subjects 'what thoſe Fundamental Laws of the Land are, 'and where to be found; and would at leaſt have 'mentioned one *Ordinance*, from the firſt Begin-'ing of Parliaments to this preſent Parliament, 'which endeavoured to impoſe any Thing upon the 'Subject without the King's Conſent; for of ſuch 'all the Inquiry we can make, could never produce 'us one Inſtance. And if there be ſuch a Secret of

'the

An. 18. Car. I. 1642. May. ‘ the Law, which hath lain hid from the Beginning ‘ of the World to this Time, and now is diſco- ‘ vered to take away the juſt legal Power of the ‘ King, we wiſh there be not ſome other Secret ‘ (to be diſcovered when they pleaſe) for the Ruin ‘ and Deſtruction of the Liberty of the Subject; ‘ for, no doubt, if the *Votes* of both Houſes have ‘ any ſuch Authority to make a new Law, it hath ‘ the ſame Authority to repeal the old; and ‘ then what will become of the long eſtabliſhed ‘ Rights and Liberties of the King and Subject, ‘ and particularly of *Magna Charta*, will be eaſily ‘ diſcerned by the moſt ordinary Underſtandings.

‘ It is true we did (out of our Tenderneſs to the ‘ Conſtitution of the Kingdom, and Care of the ‘ Law, which we are bound to defend, and being ‘ moſt aſſured of the Unjuſtifiableneſs of the pre- ‘ tended *Ordinance)* invite and deſire both our ‘ Houſes of Parliament to ſettle whatſoever ſhould be ‘ fit of that Nature, by *Act of Parliament*; but were ‘ we therefore obliged to paſs whatſoever ſhould ‘ be brought to us of that Kind? We did ſay in ‘ our *Anſwer* to the *Petition* of both Houſes, pre- ‘ ſented to us at *York* the 26th of *March* laſt, ‘ (and we have ſaid the ſame in other *Meſſages* be- ‘ fore) *That we always thought it neceſſary the Bu- ‘ ſineſs of the* Militia *ſhould be ſettled, and that we ‘ never denied the Thing, only denied the Way*; and ‘ we ſay the ſame ſtill, ſince the many Diſputes ‘ and Votes upon Lords Lieutenants, and their ‘ Commiſſions (which were begun by us, or our ‘ Father) had ſo diſcountenanced that Authority, ‘ which for many Years together was happily look- ‘ ed upon with Reverence and Obedience by the ‘ People; we did, and do, think it very neceſſary ‘ that ſome wholeſome Law be provided for that ‘ Buſineſs; but we declared, in our *Anſwer* to the ‘ *pretended Ordinance, We expected that that ne- ‘ ceſſary Power ſhould be firſt inveſted in us, be- ‘ fore we conſented to transfer it to other Men:* ‘ Neither could it ever be imagined, that we would

‘ con-

'conſent that a greater Power ſhould be in the An. 18. Car. I.
'Hands of a Subject, than we were thought wor- 1642.
'thy to be truſted with ourſelf; and if it ſhall not May.
'be thought fit to make a new *Act*, or *Declaration*,
'in this Point, we doubt not but we ſhall be able
'to grant ſuch Commiſſions, which ſhall, very le-
'gally, enable thoſe we truſt, to do all Offices for
'the Peace and Quiet of the Kingdom, if any Di-
'ſturbance ſhall happen.

'But that *Declaration* ſaith, *We were pleaſed to*
'*offer them a* Bill *ready drawn, and that they (to ex-*
'*preſs their earneſt Zeal to correſpond with our Deſire)*
'*did paſs that* Bill; *yet all that Expreſſion of Affec-*
'*tion and Loyalty, all that earneſt Deſire of theirs*
'*to comply with us, produced no better Effect than an*
'*abſolute Denial even of what, by our former* Meſ-
'ſages, (as that *Declaration* conceives) *we had pro-*
'*miſed*; and ſo proceeds (under the Pretence of
'mentioning evil and wicked Counſels) to cenſure
'and reproach us in a Dialect, that we are confi-
'dent our good Subjects will read with much In-
'dignation on our Behalf. But ſure, if that *Decla-*
'*ration* had paſſed the Examination of both Houſes
'of Parliament, they would never have affirmed,
'That the *Bill* we refuſed to paſs was *the ſame* we
'ſent to them; or have thought that *our Meſſage*,
'wherein the Difference and Contrariety between
'the *two Bills* is ſo particularly ſet down, would
'be anſwered with the bare Averring them to be
'*one and the ſame Bill:* No more would they
'have declared (when our Exceptions to the *Ordi-*
'*nance* and the *Bill* are ſo notoriouſly known to
'all our People, *That, Care being taken to give Satiſ-*
'*faction in all the Particulars we had excepted againſt*
'*in the* Ordinance, *we had found new Exceptions to*
'*the* Bill; and yet this very *Declaration* confeſ-
'ſeth, that our Exception to the *Ordinance* was,
'That in the Diſpoſing and Execution thereof we
'were excluded. And was not this an expreſs
'Reaſon, in our *Anſwer*, for our Refuſal of the *Bill*,
'which this *Declaration* will needs confute? *But*

the

An. 18. Car. I. 1642. May.

'*the Power was no other than to ſuppreſs Rebellion,* '*Inſurrection, and foreign Invaſion; and the Perſons* '*truſted no other than ſuch as were nominated by the* '*Great Council of the Kingdom, and aſſented to by* '*us:* And that *Declaration* aſks, *If that be too great* '*a Power to truſt theſe Perſons with?* Indeed whilſt 'ſo great Liberty is uſed in Voting and Declaring 'Men to be Enemies to the Common-Wealth, (an '*Engliſh* Phraſe we ſcarcely underſtand) and in 'Cenſuring Men for their Service and Attendance 'upon our Perſon, and in our lawful Commands, 'great Heed muſt be taken into what Hands we 'commit ſuch a Power to ſuppreſs Inſurrection and 'Rebellion. And if Inſurrection and Rebellion 'have found other Definitions than what the Law 'hath given them, we muſt be ſure that no lawful 'Power ſhall juſtify thoſe Definitions: And if there 'be Learning found out to make Sir *John Hotham*'s 'taking Arms againſt us, and keeping our Town 'and Fort from us, no Treaſon or Rebellion, we 'know not whether a new Diſcovery may not 'find it Rebellion in us to defend ourſelf from 'ſuch Arms, and to endeavour to recover what is 'ſo taken from us: And therefore it concerns us '(till the known Law of the Land be allowed to 'be Judge between us) to take Heed into what 'Hands we commit ſuch Power. Beſides, can it 'be thought that, becauſe we are willing to truſt 'certain Perſons, we are obliged to truſt them 'in whatſoever they are willing to be truſted? We 'ſay, no Private Hands are fit for ſuch a Truſt, 'neither have we departed from any Thing, in the 'leaſt Degree, we offered or promiſed before; tho' 'we might, with as much Reaſon, have with-'drawn our Truſt from ſome Perſons we before 'had accepted, as they did from others whom they 'recommended.

'For the Power which we are charged to hav 'committed to particular Perſons, for the Space 'fifteen Years, by our Commiſſions of Lieutenan 'it is notoriouſly known, that it was not a Po

'cre

'created by us, but continued very many Years, and in the moſt happy Times this Kingdom hath enjoyed, even thoſe of our renowned Predeceſſors Queen *Elizabeth*, and our Father of happy Memory: And whatever Authority was granted by thoſe Commiſſions, which were kept in the old Forms, the ſame was determinable at our Pleaſure; and we know not that they produced any of thoſe Calamities, which might give our good Subjects Cauſe to be ſo weary of them as to run the Hazard of ſo much Miſchief as that *Bill*, which we refuſed, might poſſibly have produced. An. 18. Car. I. 1642. May.

'For the Precedents of former Ages in the Commiſſions of *Array*; we doubt not but that when any ſuch have iſſued out, the King's Conſent was always obtained, and the Commiſſions determinable at his Pleaſure; and then what the Extent of Power was, will be nothing applicable to this Caſe of the *Ordinance*.

'But whether that *Declaration* hath refuted our Reaſons for our Refuſal to paſs the *Bill* or no, it hath reſolved and required all Perſons in Authority thereby to put the *Ordinance* in preſent Execution; and all others to obey it, according to the Fundamental Laws of the Land: But we, whom God hath truſted to maintain and defend thoſe Fundamental Laws (which we hope he will bleſs to ſecure us) do declare, That there is no Legal Power in either or both Houſes, upon any Pretence whatſoever, without our Conſent, to command any Part of the *Militia* of this Kingdom; nor hath the like ever been commanded by either or both Houſes ſince the firſt Foundation of the Laws of this Land; and that the Execution of, or the Obedience to, that pretended *Ordinance*, is againſt the Fundamental Laws of the Land, againſt the Liberty of the Subject, the Right of Parliaments, and a high Crime in any that ſhall henceforth execute the ſame.

'We do therefore charge and command all our loving Subjects, of what Degree or Quality ſoever, upon their Allegiance, and as they tender the Peace

'of

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'of this Kingdom, from henceforth, not to muſter, 'levy or array, ſummon or warn, any of our 'Trained-Bands, to riſe, muſter, or march by 'Virtue or under Colour of that *pretended Ordi-* 'nance: And to this *Declaration* and Command of 'ours we expect and require a full Submiſſion and 'Obedience from all our loving Subjects upon their 'Allegiance; as they will anſwer the Contrary at 'their Perils, and as they tender the Upholding of 'the true *Proteſtant* Profeſſion, the Safety of our 'Perſon and our Royal Poſterity, and the Peace and 'Being of this Kingdom.'

May 21. The following *Meſſage of Thanks*, from both Houſes, was *ordered* to be ſent to the Privy Council in *Scotland*, for their adviſing the King to return to his Parliament, *&c.* Mr. *Whitlocke* tells us, (*f*) 'That the King had wrote to the *Scots* Privy Council, to acquaint them with the State of his Affairs in *England*; and that to this he received a dutiful and affectionate Anſwer, with a Petition from divers of the Nobility and People there, full of Zeal and Loyalty to his Service; but that the Parliament hearing of this, took Courſe to turn the Ballance within eight Days after.'—The Truth of our *Memorialiſt*'s Aſſertion is fully confirmed by the *Opinion* of the *Scots* Privy Council, addreſſed to the Parliament as before mentioned, (*g*) and by the following Inſtrument from both the Houſes.

A Meſſage of Thanks from the Parliament to the Scots Privy Council.

'THE *Declaration* of the Lords of the Privy Council of the Kingdom of *Scotland*, made 'the twenty-ſecond of *April*, 1642, having been 'peruſed and ſeriouſly conſidered by the Lords and 'Commons of the Parliament in *England*, they 'have, by the Conſent of both Houſes, *ordered*, 'That, in their Name, the Commiſſioners for the 'Kingdom of *Scotland* be intreated to return Thanks 'to that Honourable Table of the Privy Council of '*Scotland*, for their great Affection expreſſed to his 'Majeſty and this Kingdom; and for their wiſe and 'found

(*f*) *Memorials*, p. 56. (*g*) In our Tenth Volume, p. 504.

'ſound Counſel given to the King to return to his 'Parliament, being his beſt and moſt impartial 'Council, and to lay aſide his Purpoſe of going in- 'to *Ireland*; in both which they have fully concur- 'red with the humble Petitions and Deſires preſent- 'ed to his Majeſty from both Houſes. An. 18. Car. I. 1642. May.

'And as they have never given his Majeſty any 'juſt Cauſe of Jealouſy or Fears; but, in all their 'Proceedings, have aimed at his Honour, Happineſs, 'and Safety, without any other Deſign, but only 'to preſerve and ſecure the true *Proteſtant* Religion, 'and the antient Liberties of this Kingdom; ſo 'will they carefully endeavour, by all fit Means, 'to work in his Majeſty a right Underſtanding of 'their loyal Intentions and moſt affectionate De- 'ſires for the common Good of his Majeſty and his 'Kingdoms; which can have no laſting nor ſure 'Foundations but in the mutual Confidence betwixt 'him and his Parliament: For the better obtaining 'whereof they intreat them to continue and renew 'ſuch their good Advice to his Majeſty, and to ſup- 'preſs the Attempts of thoſe who, upon cauſeleſs 'Pretences and Suggeſtions, ſhall perſuade them 'to interpoſe in thoſe unhappy Differences, in ſuch 'a Manner as may weaken the Confidence, or en- 'danger the Peace of the two Kingdoms: And that 'their Lordſhips will pleaſe to remember with what 'Caution and Tenderneſs, the State of *Scotland* have 'heretofore endeavoured that that Kingdom might 'receive no Prejudice by any Proceedings of his 'Majeſty's Privy Council of *England*; the Ex- 'ample of whoſe Wiſdom herein this Parliament is 'willing to follow, and will always be very careful 'of the Preſervation of the mutual Affection be- 'twixt the two Kingdoms; according to the Trea- 'ties ratified in both Parliaments, the brotherly 'Affection which they bear to that Nation, and 'the Intereſt they have in the Proſperity thereof, 'ſo much conducing to the Eſtabliſhment and Se- 'curity of the true Religion and juſt Liberties of 'this Kingdom.

For

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'For the better improving and applying this mutual Union and Correſpondence to the Settling of 'the preſent Troubles, it is deſired by both Houſes 'of this Parliament of *England*, That their Lord-'ſhips will ſend a Catalogue of thoſe ſeveral *Meſ-'ſages*, *Declarations*, *Anſwers* and *Inſtructions*, which 'they have received from his Majeſty, that con-'cern this Kingdom; that ſo they may the better 'remove any Doubt or Miſtake of their Actions, 'which may be drawn from any ſuch Writings; 'and they likewiſe intend to ſend to the Council of 'Scotland, ſuch *Declarations*, *Petitions*, and *Remon-'ſtrances* as they ſhall have Occaſion to make to his 'Majeſty and this Kingdom; whereby their Lord-'ſhips may be the more fully informed of the true 'Grounds of their Proceedings, and the Amity and 'mutual Intelligence betwixt the two Kingdoms 'may be held in continual Practice and Exerciſe 'for the Good of both.'

About this Time a long *Declaration*, or *Remonſtrance*, of Parliament was publiſhed, in purſuance of an *Order* of both Houſes, of the 19th Inſtant, for that Purpoſe. As this Piece contains a Recapitulation of all the Errors and Miſcarriages in Government from the Diſſolution of the laſt Parliament, and alſo a Vindication of the Proceedings of this Parliament in conſequence thereof, it is too important to be omitted, meerly on account of its Prolixity; and eſpecially as the Proceedings ſubſequent thereto would be rendered utterly unintelligible by the Omiſſion of this and the like long *Declarations*.—An Abridgement thereof would be to no Purpoſe, ſince ſeveral of the ſucceeding Conteſts, between the King and Parliament, took their Riſe from particular Phraſes and Expreſſions in theſe before us.

A Declaration of both Houſes recapitulating the Meſſages, &c. between them and the King.

'THE infinite Mercy and Providence of Almighty God hath been abundantly manifeſted, ſince the Beginning of this Parliament, in 'great Variety of Protections and Bleſſings; where-'by he hath not only delivered us from many wick-

'ed

'ed Plots and Deſigns, which, if they had taken Ef- An. 18. Car. 1.
'fect, would have brought Ruin and Deſtruction 1642.
'upon this Kingdom; but, out of thoſe Attempts, May.
'hath produced divers evident and remarkable Ad-
'vantages to the Furtherance of thoſe Services,
'which we have been deſirous to perform to our So-
'vereign Lord the King, and to this Church and
'State, in providing for the Public Peace and Pro-
'ſperity of his Majeſty and all his Realms; which,
'in the Preſence of the ſame all-ſeeing Deity, we
'proteſt to have been, and ſtill to be, the only End
'of all our Counſels and Endeavours; wherein we
'have reſolved to continue freed and enlarged from
'all private Aims, perſonal Reſpects, or Paſſions
'whatſoever.

'In which Reſolution we are nothing diſcouraged,
'although the Heads of the Malignant Party, diſ-
'appointed of their Prey, the Religion and Liberty
'of this Kingdom, which they were ready to ſeize
'upon and devour before the Beginning of this
'Parliament, have ſtill perſiſted, by new Practices,
'both of Force and Subtilty, to recover the ſame
'again; for which Purpoſe they have made ſeveral
'Attempts for the bringing up of the Army: They
'afterwards projected the falſe Accuſation of the
'Lord *Kymbolton* and the five Members of the Houſe
'of Commons; which being in itſelf of an odious
'Nature, they yet ſo far prevailed with his Majeſty
'as to procure him to take it upon himſelf; but
'when the unchangeable Duty and Faithfulneſs of
'the Parliament could not be wrought upon, by
'ſuch a Fact as that, to withdraw any Part of their
'Reverence and Obedience from his Majeſty; they
'have, with much Art and Induſtry, adviſed his
'Majeſty to ſuffer divers unjuſt Scandals and Impu-
'tations upon the Parliament to be publiſhed in his
'Name; whereby they might make it odious to
'the People, and, by their Help, to deſtroy that,
'which, hitherto, hath been the only Means of their
'own Preſervation.

'For this Purpoſe they have drawn his Majeſty
'into the *Northern* Parts, far from the Parliament,

'that

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'that ſo falſe Rumours might have Time to get 'Credit, and the juſt Defences of the Parliament 'find a more tedious, difficult, and diſadvantageous 'Acceſs, after thoſe falſe Imputations and Slanders 'had been firſt rooted in the Apprehenſion of his 'Majeſty and his Subjects; which, the more ſpee-'dily to effect, they have cauſed a Preſs to be tran-'ſported to *York*, from whence ſeveral Papers and 'Writings of that Kind are conveyed to all Parts 'of the Kingdom, without the Authority of the 'Great Seal, in an unuſual and illegal Manner, and 'without the Advice of his Majeſty's Privy Coun-'cil; from the greater and better Part whereof ha-'ving withdrawn himſelf, as well as from his great 'Council of Parliament, he is thereby expoſed to 'the wicked and unfaithful Counſels of ſuch as have 'made the Wiſdom and the Juſtice of Parliament 'dangerous to themſelves; and this Danger they 'labour to prevent by hiding their own Guilt, un-'der the Name and Shadow of the King; infuſing 'into him their own Fears, and, as much as in them 'lies, aſperſing his Royal Perſon and Honour with 'their own Infamy; from both which it hath al-'ways been as much the Care, as it is the Duty, of 'the Parliament to preſerve his Majeſty, and to fix 'the Guilt of all evil Actions and Counſels upon 'thoſe who have been the Authors of them.

'Amongſt divers Writings of this Kind, we, the 'Lords and Commons in Parliament, have taken 'into our Conſideration two *printed Papers*; the 'firſt containing a *Declaration* which we received 'from his Majeſty, in *Anſwer* to that which was 'preſented to his Majeſty, from both Houſes of 'Parliament, at *Newmarket*, the 9th of *March*, '1641, the other, his Majeſty's *Anſwer* to the *Peti-'tion* of both Houſes, preſented to his Majeſty the '26th of *March*, 1642; both which are filled with 'harſh Cenſures and cauſeleſs Charges upon the Par-'liament, concerning which we hold it neceſſary to 'give Satisfaction to the Kingdom, ſeeing we find it 'very difficult to ſatisfy his Majeſty; whom, to our

'great

'great Grief, we have found to be ſo engaged to, An. 18. Car. I. 1642. May.
'and poſſeſſed by, thoſe Miſapprehenſions which evil
'Counſellors have wrought in him, that our moſt
'humble and faithful *Remonſtrances* have rather ir-
'ritated and imbittered, than any thing allayed or
'mitigated, the ſharp Expreſſions which his Majeſty
'hath been pleaſed to make in Anſwer unto them;
'for the Manifeſtation whereof, and of our own In-
'nocency, we deſire that all his Majeſty's loving
'Subjects may take Notice of theſe Particulars.

'We know no Occaſion given by us, which might
'move his Majeſty to tell us, *That*, in our *Decla-*
'ration, preſented at *Newmarket*, *there were ſome*
'Expreſſions different from the uſual Language to
'Princes.

'Neither did we tell his Majeſty, either in Words
'or in Effect, *That if he did not join with us in an Act,*
'which his Majeſty conceived might prove prejudicial and
'dangerous to himſelf and the whole Kingdom, we would
'make a Law without him, and impoſe it upon the People.
'That which we deſired was, *That, in regard of the*
'imminent Danger of the Kingdom, the Militia, *for*
'the Security of his Majeſty and his People, might
'be put under the Command of ſuch noble and faith-
'ful Perſons as they had all Cauſe to confide in: And
'ſuch was the Neceſſity of this Preſervation, that
'we declared, *That if his Majeſty ſhould refuſe to*
'join with us therein, the two Houſes of Parliament,
'being the Supream Court and Higheſt Council of the
'Kingdom, were enabled, by their own Authority, to
'provide for the repulſing of ſuch imminent and evi-
'dent Danger, not by any new Law of their own
'making, as hath been untruly ſuggeſted to his Maje-
'ſty; but by the moſt antient Law of this Kingdom,
'even that which is Fundamental and Eſſential to the
'Conſtitution and Subſiſtance of it.

'Altho' we never deſired to encourage his Ma-
'jeſty to ſuch *Replies* as might produce any Con-
'teſtation betwixt him and his Parliament, of
'which we never found better Effect than Loſs of
'Time and Hinderance of the public Affairs; yet
'we have been far from telling him, *Of how little*

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'*Value his Words would be with us, much leſs when* 'they are accompanied with *Actions of Love and Ju-* '*ſtice.* His Majeſty hath more Reaſon to find Fault 'with thoſe wicked Counſellors, who have ſo often 'bereaved him of the Honour, and his People of 'the Fruit, of many gracious *Speeches* which he 'made to them; ſuch as thoſe in the End of the 'laſt Parliament, *That on the Word of a King, and* 'as he was a Gentleman, *he would redreſs the Grie-* 'vances of his People, *as well out of Parliament as in* 'it. Were the Searching the Studies and Cham-'bers, yea, the Pockets, of ſome, both of the No-'bility and Commons, the very next Day; the 'Commitment of Mr. *Bellaſis*, Sir *John Hotham*, 'and Mr. *Crew*; the continued Oppreſſions by '*Ship-Money*, *Coat* and *Conduct-Money*, with the 'manifold Impriſonments, and other Vexations 'thereupon, and other enſuing Violations of the 'Laws and Liberties of the Kingdom, (all which 'were the Effects of evil Counſel, and abundantly 'declared in our *general Remonſtrance of the State* 'of the Kingdom) Actions of Love and Juſtice, 'ſuitable to ſuch Words as thoſe?

'As gracious was his Majeſty's *Speech* in the 'Beginning of this Parliament, *That he was reſol-* 'ved to put himſelf, freely and clearly, upon the Love 'and Affection of his Engliſh *Subjects.* Whether 'his cauſeleſs Complaints and Jealouſies, the unjuſt 'Imputations ſo often caſt upon his Parliament, 'his Denial of their neceſſary Defence by the *Ordi-* 'nance of the *Militia*, his dangerous Abſenting 'himſelf from his great Council, like to produce 'ſuch a miſchievous Diviſion in the Kingdom, have 'not been more ſuitable to other Men's evil Coun-'ſels than to his own Words, will eaſily appear to 'any indifferent Judgment.

'Neither have his latter *Speeches* been better uſed 'and preſerved by theſe evil and wicked Counſellors: 'Could any Words be fuller of Love and Juſtice 'than theſe, in his *Anſwer* to the *Meſſage* ſent by 'the Houſe of Commons the 31ſt of *December*, '1641, *We do engage unto you ſolemnly the Word of*

'*a*

'*a King, that the Security of all and every one of you* An. 18. Car. I.
'*from Violence is, and ever ſhall be, as much our* 1642.
'*Care, as the Preſervation of us and our Children.* May.
'And could any Actions be fuller of Injuſtice and Vi-
'olence than that of the Attorney-General, in falſly
'accuſing the ſix Members of Parliament, and the
'other Proceedings thereupon, within three or four
'Days after that *Meſſage?* For the full View
'whereof let the *Declaration*, made of thoſe Pro-
'ceedings, be peruſed. By theſe Inſtances (we
'could add many more) let the World judge, who
'deſerves to be taxed with Diſvaluing his Majeſty's
'Words; they who have, as much as in them lies,
'ſtained and ſullied them with ſuch foul Counſels;
'or the Parliament, who have ever manifeſted,
'with Joy and Delight, their humble Thankfulneſs
'for thoſe gracious Words and Actions of Love
'and Juſtice, which have been conformable there-
'unto.

'The King is pleaſed to diſavow the having any
'ſuch evil Counſel, or Counſellors, as are men-
'tioned in our *Declaration*, to his Knowledge; and
'we hold it our Duty humbly to avow there are
'ſuch, or elſe we muſt ſay, That all the ill Things,
'done of late in his Majeſty's Name, have been
'done by himſelf; wherein we ſhould neither fol-
'low the Direction of the Law, nor the Affection
'of our own Hearts; which is, as much as may be,
'to clear his Majeſty from all Imputation of Miſ-
'government, and to lay the Fault upon his Mi-
'niſters. The falſe Accuſing of ſix Members of
'Parliament; the Juſtifying Mr. Attorney in that
'falſe Accuſation; the violent Coming to the
'Houſe of Commons; the Denial of the *Militia*;
'the ſharp *Meſſages* to both Houſes, contrary to the
'Cuſtom of former Kings; the long and remote
'Abſence of his Majeſty from Parliament; the
'heavy and wrongful Taxes upon both Houſes: the
'Cheriſhing and Countenancing a diſcontented Par-
'ty in the Kingdom againſt them: Theſe certainly
'are the Fruits of very ill Counſel, apt to put the
'Kingdom into a Combuſtion, to hinder the Sup-

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'plies of *Ireland*, and to countenance the Proceed-
'ings and Pretenſions of the Rebels there; and the
'Authors of theſe evil Counſels, we conceive, muſt
'needs be known to his Majeſty; and we hope our
'labouring with his Majeſty to have theſe diſcover-
'ed and brought to a juſt Cenſure, will not ſo
'much wound his Honour in the Opinion of his
'good Subjects, as his labouring to preſerve and
'conceal them.

'And whereas his Majeſty ſaith, *He could wiſh*
'*that his own immediate Actions, which he avows on*
'*his own Honour, might not be ſo roughly cenſured un-*
'*der that common Style of evil Counſellors:* We could
'alſo heartily wiſh, we had not Cauſe to make that
'Style ſo common; but how often and undutifully
'ſoever theſe wicked Counſellors fix their Diſho-
'nour upon the King, by making his Majeſty the
'Author of thoſe evil Actions which are the Ef-
'fects of their own evil Counſels, we his Majeſty's
'loyal and dutiful Subjects can uſe no other Style,
'according to that Maxim in the Law, *The King*
'*can do Wrong*; but if any Ill be committed in
'Matter of State, the Council muſt anſwer for it;
'if in Matters of Juſtice, the Judges.

'We lay no Charge upon his Majeſty, which
'ſhould put him upon that Apology, concerning
'his faithful and zealous Affection to the *Proteſtant*
'Profeſſion; neither doth his Majeſty endeavour to
'clear thoſe in greateſt Authority about him, by
'whom, we ſay, that Deſign hath been potently
'carried on for divers Years; and we rather wiſh
'that the Mercies of Heaven, than the Judgments,
'may be manifeſted upon them; but that there
'have been ſuch, there are ſo plentiful and frequent
'Evidences, that we believe there is none, either
'*Proteſtant* or *Papiſt*, who hath had any reaſonable
'View of the Paſſages of latter Times, but, either
'in Fear or Hope, did expect a ſudden Iſſue of this
'Deſign.

'We have no Way tranſgreſſed againſt the *Act*
'*of Oblivion*, by remembring the intended War
'againſt *Scotland*, as a Branch of that Deſign to al-

ter

'ter Religion, by thoſe wicked Counſels, from which God did then deliver us, which we ought never to forget. An. 18. Car. I. 1642. May.

'That the Rebellion in *Ireland* was framed 'and cheriſhed by the *Popiſh* and Malignant Party 'in *England*, is not only affirmed by the Rebels, but 'may be cleared by many other Proofs: The ſame 'rebellious Principles of pretended Religion, the ſame 'politic Ends are apparent in both; and their mali-'cious Deſigns and Practices are maſked and diſ-'guiſed with the ſame falſe Colour of their earneſt 'Zeal to vindicate his Majeſty's Prerogative from 'the ſuppoſed Oppreſſion of the Parliament: How 'much theſe treacherous Pretences have been coun-'tenanced by ſome evil Counſel about his Majeſty 'may appear in this, That the *Proclamation*, where-'by they were declared Traitors, was ſo long with-'held as to the ſecond of *January*, though the Re-'bellion broke forth in *October* before; and then 'no more but forty Copies appointed to be printed, 'with a ſpecial Command from his Majeſty not to 'exceed that Number; and that none of them 'ſhould be publiſhed till his Majeſty's Pleaſure were 'further ſignified, as by the *Warrant* appears (*b*); 'ſo that a few only could take Notice of it: This 'was made more obſervable, by the late contrary 'Proceedings againſt the *Scots*; who were, in a 'very quick and ſharp Manner, proclaimed Traitors; 'and thoſe Proclamations forthwith diſperſed, with 'as much Diligence as might be, through all the 'Kingdom, and ordered to be read in all Churches,

(*b*) The *Warrant* here referred to was as follows:

'It is his Majeſty's Pleaſure that you forthwith print, in a very 'good Paper, and ſend unto me, for his Majeſty's Service, forty 'Copies of the *Proclamation* incloſed, leaving a convenient Space 'for his Majeſty to ſign above, and to affix the Privy-Signet under-'neath: And his Majeſty's expreſs Command is, That you print 'not above the ſaid Number of forty Copies; and forbear to make 'any further Publication of them, till his Pleaſure be further ſigni-'fied, for which this ſhall be your Warrant.'

Whitehall, January 2, 1641. EDWARD NICHOLAS.

To his Majeſty's Printer.

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'accompanied with public Prayers and Execrations.
'Another Evidence of Favour and Countenance to
'the Rebels, in ſome of Power about his Majeſty,
'is this, That they have put forth, in his Majeſty's
'Name, a cauſeleſs Complaint againſt the Parlia-
'ment, which ſpeaketh the ſame Language of the
'Parliament which the Rebels do; thereby to raiſe
'a Belief in Men's Minds, that his Majeſty's Af-
'fections are alienated, as well as his Perſon is re-
'moved, from that his great Council. All which
'doth exceedingly retard the Supplies of *Ireland*,
'and more advance the Proceedings of the Rebels,
'than any Jealouſy or Miſapprehenſion begotten in
'his Subjects, by the Declaration of the Rebels, the
'Injunctions of *Roſetti*, or the Information of *Tri-*
'*ſtram Whitcombe*: So that, conſidering the preſent
'State and Temper of both Kingdoms, his Royal
'Preſence is far more neceſſary here than it can be
'in *Ireland*, for the Redemption or Protection of
'his Subjects there.

'And whether there be any Cauſe of his Maje-
'ſty's great Indignation, for being reproached to have
'intended Force or Threatning to the Parliament,
'we deſire them to conſider who ſhall read our *De-*
'*claration*; in which there is no Word tending to any
'ſuch Reproach: And certainly we have been more
'tender of his Majeſty's Honour in this Point, than
'he, whoſoever he was, that did write this *Declara-*
'*tion*; where, in his Majeſty's Name, he doth call
'God to witneſs, *He never had any ſuch Thought,*
'*or knew of any ſuch Reſolution of bringing up the*
'*Army*; which, truly, will ſeem ſtrange to thoſe,
'who ſhall read the Depoſition of Mr. *Goring*, the
'Information of Mr. *Percy*, and divers Exami-
'nations of Mr. *Wilmot*, Mr. *Pollard*, and others;
'the Examinations of Capt. *Legge*, Sir *Jacob Aſt-*
'*ley*, and Sir *John Conyers*; and conſider the Con-
'dition and Nature of the *Petition*, which was ſent
'unto Sir *Jacob Aſtley*, under the Approbation of
'*C. R.* which his Majeſty doth now acknowledge
'to be his own Hand, which, being full of Scandal
'to the Parliament, might have proved dangerous

'to

'to the whole Kingdom, if the Army ſhould have 'interpoſed betwixt the King and them, as was 'deſired. An. 18. Car. I. 1642. May.

'We do not affirm *That his Majeſty's Warrant 'was granted for the Paſſage of Mr.* Jermine, *after 'the Deſire of both Houſes for the Reſtraint of his 'Servants*; but only, *That he did paſs over, after 'that Reſtraint, by virtue of ſuch a Warrant.* We 'know the Warrant bears Date the Day before our 'Deſire; yet it ſeems ſtrange to thoſe who know 'what great Reſpect and Power Mr. *Jermine* had 'in Court, that he ſhould begin his Journey in 'ſuch Haſte, and in Apparel ſo unfit for Travel, 'as a black Sattin Suit and white Boots, if his going 'away were deſigned the Day before.

'The Accuſation of the Lord *Kimbolton* and the 'five Members of the Houſe of Commons, is called 'a Breach of Privilege; and truly ſo it was, and a 'very high one, far above any Satisfaction that 'hath been yet given. How can it be ſaid to be '*largely ſatisfied*, ſo long as his Majeſty laboured to 'preſerve Mr. Attorney from Puniſhment, who 'was the viſible Actor in it? So long as his Majeſty 'hath not only juſtified him, but, by his Letter, 'declared, *That it was his Duty to accuſe them*; 'and *that he would have puniſhed him, if he had not 'done it?* So long as thoſe Members have not the 'Means of clearing their Innocency, and the Au-'thors of that malicious Charge undiſcovered, tho' 'both Houſes of Parliament have ſeveral Times 'petitioned his Majeſty to diſcover them; and that 'not only upon Grounds of common Juſtice, but 'by Act of Parliament, his Majeſty is bound to 'do it? So long as the King refuſeth to paſs a Bill 'for their Diſcharge, alledging, *That the Narrative 'in that Bill is againſt his Honour*; whereby he ſeems 'ſtill to avow the Matter of that falſe and ſcanda-'lous Accuſation, though he deſerts the Proſecu-'tion; offering to paſs a Bill for their Acquittal, 'yet with Intimation, *That they muſt deſert the A-'vowing their own Innocency?* which would more

'wound

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'wound them in Honour, than ſecure them in 'Law.

'And, in Vindication of this great Privilege of 'Parliament, we do not know that we have invaded 'any Privilege belonging to his Majeſty, as is al-'ledged in this *Declaration.*

'But we look not upon this, only, in the Notion 'of a Breach of Privilege, which might be, though 'the Accuſation were true or falſe; but under the 'Notion of a heinous Crime in the Attorney and 'all other Subjects who had a Hand in it; a Crime 'againſt the Law of Nature; againſt the Rules of 'Juſtice, that innocent Men ſhould be charged 'with ſo great an Offence as Treaſon, in the Face 'of the higheſt Judicatory of the Kingdom; where-'by their Lives and Eſtates, their Blood and Ho-'nour, are endangered, without Witneſs, without 'Evidence, without all Poſſibility of Reparation, 'in a legal Courſe; yet a Crime of ſuch a Nature, 'that his Majeſty's Command can no more warrant, 'than it can any other Acts of Injuſtice. It is true, 'thoſe Things which are evil in their own Nature, 'ſuch as a falſe Teſtimony or falſe Accuſation, can-'not be the Subject of any Command, or induce 'any Obligation of Obedience upon any Man, by 'any Authority whatſoever; therefore the Attor-'ney, in this Caſe, was bound to refuſe to execute 'ſuch a Command, unleſs he had ſome ſuch Evi-'dence or Teſtimony as might have warranted him 'againſt the Parties, and be liable to make Satisfac-'tion if it ſhould prove falſe: And it is ſufficiently 'known to every Man, and adjudged in Parliament, 'that the King can be neither Relator, Informer, nor 'Witneſs. If it reſt as it is, without further Satisfac-'tion, no future Parliament can be ſafe but that 'the Members may be taken and deſtroyed at Plea-'ſure; yea the very Principles of Government and 'Juſtice will be in Danger to be diſſolved.

'We do not conceive that Numbers do make an 'Aſſembly unlawful; but when either the End 'or Manner of their Carriage ſhall be unlawful.

'Di-

'Divers juſt Occaſions might draw the Citizens 'to *Weſtminſter*, where many *public* and *private* 'Petitions, and other Cauſes, were depending in 'Parliament; and why that ſhould be found more 'faulty in the Citizens, than the Reſort of great 'Numbers every Day in the Term to the ordinary 'Courts of Juſtice, we know not. That thoſe 'Citizens were notoriouſly provoked and aſſaulted 'at *Weſtminſter*, by Colonel *Lunsford*, Captain '*Hide*, with divers others, and by ſome of the Ser- 'vants of the Archbiſhop of *York*, is ſufficiently 'proved; and that afterward they were more vio- 'lently wounded, and moſt barbarouſly mangled 'with Swords by the Officers and Soldiers near '*Whitehall*, many of them being without Weapons, 'and giving no Cauſe of Diſtaſte, is likewiſe proved 'by ſeveral Teſtimonies: But of any ſcandalous 'or ſeditious Miſdemeanors of theirs, that might 'give his Majeſty good Cauſe to ſuppoſe his own 'Perſon, or thoſe of his Royal Conſort or Chil- 'dren, to be in apparent Danger, we have had no 'Proof ever offered to either Houſe; and if there 'had been any Complaint of that Kind, it is no 'Doubt the Houſes would have been as forward to 'join in an *Order* for the Suppreſſing of ſuch Tu- 'mults, as they were, not long before, upon a- 'nother Occaſion, when they made an *Order* to 'that Purpoſe: Whereas thoſe Officers and Soldiers, 'which committed that Violence upon ſo many of 'the Citizens at *Whitehall*, were cheriſhed and 'foſtered in his Majeſty's Houſe; and when, not 'long after, the Common Council of *London* pre- 'ſented a *Petition* to his Majeſty for Reparation of 'thoſe Injuries, his Majeſty's *Anſwer* was, without 'hearing the Proof of the Complainants, *That if* 'any Citizen were wounded or ill treated, his Majeſty 'was confidently aſſured that it happened by their 'own evil and corrupt Demeanors.

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'We hope it cannot be thought contrary to the 'Duty and Wiſdom of a Parliament, if many con- 'curring, and frequently reiterated and renewed, 'Advertiſements from *Rome*, *Venice*, *Paris*, and

'other

A. 1. 'other Parts; if the Solicitation of the *Pope's Nuncio* 'and our own diſcontented Fugitives, do make us 'jealous and watchful for the Safety of the State. 'And we have been very careful to make our Ex- 'preſſions thereof ſo eaſy and ſo plain to the Ca- 'pacity and Underſtanding of the People, that no- 'thing might, juſtly, ſtick with them with Reflec- 'tion upon the Perſon of his Majeſty; wherein we 'appeal to the Judgment of any indifferent Perſon, 'who ſhall read and peruſe our own Words.

'We muſt maintain the Ground of our Fears 'to be of that Moment, that we cannot diſcharge 'the Truſt and Duty which lies upon us, unleſs 'we do apply ourſelves to the Uſe of thoſe Means, 'to which the Law hath enabled us, in Caſes of 'this Nature, for the neceſſary Defence of the King- 'dom: And as his Majeſty doth graciouſly declare, '*The Law ſhall be the Meaſure of his Power*; ſo 'do we moſt heartily profeſs, *That we ſhall always* '*make it the Rule of our Obedience.*

Prudent Omiſſions in the KING'S ANSWER.

'The next Point of our *Declaration* was, with 'much Caution, artificially paſſed over by him 'who drew his Majeſty's *Anſwer*; it being indeed 'the Foundation of all our Miſery and his Majeſty's 'Trouble, That he is pleaſed to hear general Taxes 'upon his Parliament, without any particular Charge 'to which they may give Satisfaction; and that he 'hath often conceived Diſpleaſure againſt particu- 'lar Perſons upon Miſinformation, and although 'thoſe Informations have been clearly proved to be 'falſe, yet he would never bring the Accuſers to 'Queſtion; which layeth an Impoſſibility upon 'honeſt Men of clearing themſelves, and gives En- 'couragement unto falſe and unworthy Perſons 'to trouble him with untrue and groundleſs Infor- 'mations. Three Particulars we mentioned 'our *Declaration*, which the Penner of that *Anſw* 'had good Cauſe to omit, *viz. The Words ſupp* '*to be ſpoken at* Kenſington; *the pretended* '*ticles againſt the Queen*; *and the groundleſs A*

'*tion of the ſix Members of the Parliament*; there 'being nothing to be ſaid in Defence or Denial of 'any of them. An. 18. Car. I. 1642. May.

'Concerning his Majeſty's Deſire *to join with 'his Parliament, and with his faithful Subjects, in 'Defence of Religion and the Public Good of the King-'dom*; we doubt not but he will do it fully when 'evil Counſellors ſhall be removed from about him; 'and untill that be, as we ſhewed before of Words, 'ſo muſt we alſo ſay of Laws, that they cannot 'ſecure us: Witneſs the *Petition of Right*, which 'was followed with ſuch an Inundation of illegal 'Taxes, that we had juſt Cauſe to think that the 'Payment of 820,000 *l.* was an eaſy Burden to 'the Common-Wealth in Exchange of them: 'And we cannot but juſtly think, that, if there be 'a Continuance of ſuch ill Counſellors and Favour 'to them, they will, by ſome wicked Device or 'other, make the Bill for the *Triennial Parliament*, 'and thoſe other excellent Laws mentioned in his 'Majeſty's *Declaration*, of leſs Value than Words.

'That excellent Bill, for the *Continuance of this 'Parliament*, was ſo neceſſary, that, without it, 'we could not have raiſed ſuch great Sums of 'Money for the Service of his Majeſty and the 'Common-Wealth as we have done; and, with-'out which, the Ruin and Deſtruction of the 'Kingdom muſt needs have followed: And we 'are reſolved the gracious Favour of his Majeſty ex-'preſſed in that Bill, and the Advantage and Secu-'rity which, thereby, we have from being diſſolved, 'ſhall not encourage us to do any thing, which, 'otherwiſe, had not been fit to have been done. 'And we are ready to make it good before all the 'World, that although his Majeſty hath paſſed 'many Bills very advantageous for the Subject; yet, 'in none of them, have we bereaved his Majeſty 'of any juſt, neceſſary, or profitable Prerogative 'of the Crown.

'We ſo earneſtly deſire his Majeſty's Return to '*London*, that upon it, we conceive, depends the 'very Safety and Being of both his Kingdoms.

'And

Car. I. ‘ And therefore we muſt proteſt, That, as for the
‘ Time paſt, neither the Government of *London*,
‘ nor any Laws of the Land, have loſt their Life
‘ and Force for his Security; ſo, for the future,
‘ we ſhall be ready to do or ſay any thing that may
‘ ſtand with the Duty or Honour of a Parliament,
‘ which may raiſe a mutual Confidence betwixt his
‘ Majeſty and us, as we do wiſh, and as the Affairs
‘ of the Kingdom do require.

‘ Thus far the *Anſwer* to that which is called
‘ his Majeſty's *Declaration* hath led us, now we
‘ come to that which is intitled, *His Majeſty's*
‘ Anſwer *to the* Petition *of both Houſes*, preſented to
‘ him at *York* the 26th of *March*, 1642. In the
‘ Beginning whereof his Majeſty wiſheth, *That our*
‘ *Privileges on all Parts were ſo ſtated, that this*
‘ *Way of Correſpondency might be preſerved, with*
‘ *that Freedom which hath been uſed of old*: We know
‘ nothing introduced by us, that gives any Impedi-
‘ ment hereunto; neither have we affirmed our
‘ Privileges to be broken, when his Majeſty denies us
‘ any thing, or gives a Reaſon why he cannot grant
‘ it; or that thoſe, who adviſed ſuch Denial, were
‘ Enemies to the Peace of the Kingdom, and Fa-
‘ vourers of the *Iriſh* Rebellion; in which Aſperſion,
‘ that is turned into a general Aſſertion, which,
‘ in our *Votes*, is apply'd to a particular Caſe;
‘ wherefore we muſt maintain our *Votes*, *That thoſe*
‘ *who adviſed his Majeſty to contradict that which*
‘ *both Houſes, in the Queſtion concerning the* Militia,
‘ *had declared to be Law, and command it ſhould not*
‘ *be obeyed, is a high Breach of Privilege; and that*
‘ *thoſe who adviſed his Majeſty to abſent himſelf*
‘ *from his Parliament, are Enemies to the Peace of*
‘ *the Kingdom, and juſtly to be ſuſpected to be Favour-*
‘ *ers of the Rebellion in* Ireland: The Reaſons c
‘ both are evident; becauſe, in the *firſt*, there
‘ a great Derogation from the Truſt and
‘ thority of Parliament; and, in the *ſecond*,
‘ much Advantage to the Proceedings and
‘ of the Rebels, as may be. And we ho
‘ very cauſeleſs Imputation upon the Parl

'That we have herein any way impeach'd, much 'leſs taken away, the Freedom of his Majeſty's 'Vote; which doth not import a Liberty for 'his Majeſty to deny any thing, how neceſſary ſo-'ever, for the Preſervation of the Kingdom; much 'leſs a Licence to evil Counſellors to adviſe any 'thing, though never ſo deſtructive to his Majeſty 'and his People. An. 18. Car. I. 1642. May.

'By the *Meſſage* of the 20th of *January*, his 'Majeſty did propound to both Houſes of Parlia-'ment, *That they would, with all Speed, fall into 'a ſerious Conſideration of all thoſe Particulars which 'they thought neceſſary, as well for the Upholding 'and Maintaining his Majeſty's juſt and Regal Au-'thority, and for Setling his Revenue, as for the pre-'ſent and future Eſtabliſhing our Priviledges; the free 'and quiet Enjoying our Eſtates; the Liberties of our 'Perſons; the Security of the true Religion profeſſed 'in the Church of* England; *and the Setling of Cere-'monies in ſuch a Manner as may take away all juſt 'Offence; and to digeſt it into one entire Body.*

'To that Point of Upholding and Maintaining 'his Royal Authority; we ſay nothing hath been 'done to the Prejudice of it, that ſhould require 'any new Proviſion. To the other, of Setling the 'Revenue; the Parliament hath no way abridged or 'diſorder'd his juſtRevenue; but it is true, that much 'Waſte and Confuſion of his Majeſty's Eſtate hath 'been made, by thoſe evil and unfaithful Miniſters 'whom he hath employed in the managing of it; 'whereby his own ordinary Expences would have 'been diſappointed, and the Safety of the Kingdom 'more endangered, if the Parliament had not, in 'ſome Meaſure, provided for his Houſhold, and for 'ſome of the Forts, more than they were bound 'to do; and they are ſtill willing to ſettle ſuch a 'Revenue upon his Majeſty as may make him live 'royally, plentifully, and ſafely; but they cannot, 'in Wiſdom and Fidelity to the Common-Wealth, 'do this, 'till he ſhall chuſe ſuch Counſellors and 'Officers as may order and diſpoſe it to the Public 'Good; and not apply it to the Ruin and De-

'ſtruction

An. 18. Car. I. 1642. May.

'ſtruction of his People, as heretofore it hath been: 'But this, and the other Matters concerning our-'ſelves, being Works of great Importance, and 'full of Intricacy, will require ſo long a Time of 'Deliberation, that the Kingdom might be ruined 'before we ſhould effect them; wherefore we 'thought it neceſſary, firſt to be Suitors to his 'Majeſty ſo to order the *Militia*, that, the King-'dom being ſecured, we might, with more Eaſe 'and Safety, apply ourſelves to debate of that *Meſ-'ſage*; wherein we have been interrupted by his 'Majeſty's Denial of the *Ordinance* concerning the 'ſame; becauſe it would be in vain for us to labour in 'other Things, and, in the mean time, to leave our-'ſelves naked to the Malice of ſo many Enemies, 'both at home and abroad: Yet we have not been 'altogether negligent of thoſe Things, which his 'Majeſty is pleaſed to propound in that *Meſſage*; 'we have agreed upon a Book of Rates, in a larger 'Proportion than hath been granted to any of his 'Majeſty's Predeceſſors, which is a conſiderable 'Support of his Majeſty's publick Charge; and 'have likewiſe prepared divers Propoſitions and 'Bills for the Preſervation of our Religion and 'Liberties, which we intend ſhortly to preſent to 'his Majeſty; and to do whatſoever is fit for us, to 'make up this unpleaſant Breach betwixt his Ma-'jeſty and the Parliament.

'Whereas divers Exceptions are here taken con-'cerning the *Militia*; firſt, *That his Majeſty never 'denied the Thing, but accepted the Perſons, except 'for Corporations*; *only that he denied the way.* To 'which we anſwer, That that Exception takes off '*London*, and all other great Towns and Cities, 'which makes a great Part of the Kingdom; and 'for the Way of *Ordinance*, it is antient, more 'ſpeedy, more eaſily alterable; and, in all theſe 'and other Reſpects, more proper and more ap-'plicable to the preſent Occaſion, than a *Bill*, 'which his Majeſty calls *the only good old Way of im-'poſing upon the Subjects.* It ſhould ſeem that nei-'ther his Majeſty's Royal Predeceſſors, nor our

'An-

'Anceſtors, have heretofore been of that Opini- An. 18. Car. I.
'on; for in 37. *Edward* III. we find this Record, 1642.
"The Chancellor made Declaration of the Chal- May.
"lenge of the Parliament; the King deſires to
"know the Griefs of his Subjects, and to redreſs
"Enormities. The laſt Day of the Parliament the
"King demanded of the whole Eſtates, Whether
"they would have ſuch Things as they agreed on,
"by way of *Ordinance* or *Statute*; who anſwered,
"By way of *Ordinance*, for that they might amend
"the ſame at their Pleaſure; and ſo it was. *(i)*

'But his Majeſty objects further, *That there is 'ſomewhat in the Preface, to which he could not con- 'ſent with Juſtice to his Honour and Innocence; and 'that thereby he is excluded from any Power in 'the Diſpoſing thereof.* Theſe Objections may 'ſeem ſomewhat, but indeed will appear nothing, 'when it ſhall be conſidered, That nothing in the 'Preamble lays any Charge upon his Majeſty; or, 'in the Body of the *Ordinance*, that excludes his 'Royal Authority in the Diſpoſing or Execution 'of it; but only it is provided, *That it ſhould be 'ſignified by both Houſes of Parliament*, as that Chan- 'nel through which it will be beſt derived, and, 'moſt certainly, to thoſe Ends for which it is in- 'tended: And let all the World judge, whether 'we have not Reaſon to inſiſt upon it, That the 'Strength of the Kingdom ſhould rather be order- 'ed according to the Direction or Advice of the 'Great Council of the Land, equally intruſted by 'the King and the Kingdom, than that the Safety 'of the King, Parliament, and Kingdom ſhould be 'left at the Devotion of a few unknown Counſel- 'lors; many of them not intruſted at all by the 'King in any public Way, nor at all confided in 'by the Kingdom.

'We wiſh the Danger were not imminent, or 'not ſtill continuing; but we cannot conceive 'that the long Time ſpent in this Debate is Evi- 'dence ſufficient, *That there was no ſuch Neceſſity or 'Dan-*

(i) The Reader will find the Authority, here cited, in our Firſt Volume, Page 295.

An. 18. Car. I. 1642. May. ‘*Danger, but a Bill might eaſily have been prepared*; ‘for when many Cauſes do concur to the Danger ‘of a State, the Interruption of any one may hin- ‘der the Execution of the reſt, and yet the Deſign ‘be ſtill kept on foot for better Opportunities: Who ‘knows whether the ill Succeſs of the Rebels in *Ire- ‘land* hath not hindred the Inſurrection of the *Papiſts* ‘here? Whether the Preſervation of the ſix Members ‘of the Parliament, falſely accuſed, hath not prevent- ‘ed that Plot of the breaking the Neck of the Parlia- ‘ment, of which we were informed from *France*, ‘not long before they were accuſed? Yet, ſince his ‘Majeſty had been pleaſed to expreſs his Pleaſure ‘rather for a *Bill* than an *Ordinance*, and that he ‘ſent in one for that Purpoſe, we readily entertain- ‘ed it; and, with ſome ſmall and neceſſary Alte- ‘rations, ſpeedily paſſed the ſame: But, contrary ‘to the Cuſtom of Parliament, and our Expecta- ‘tion grounded upon his Majeſty's own Invitation ‘of us to that Way, and the other Reaſons mani- ‘feſted in our *Declaration* concerning the *Militia*, ‘of the fifth of *May*, inſtead of his Royal Aſſent, ‘we met with an abſolute Refuſal.

‘If the Matter of thoſe our *Votes* of the 15th, ‘and 16th of *March*, be according to Law, we ‘hope his Majeſty will allow the Subjects to be ‘bound by them; becauſe he hath ſaid, *He will* ‘*make the Law the Rule of his Power*: And if the ‘Queſtion be, Whether that be Law which ‘the Lords and Commons have once declared to ‘be ſo, who ſhall be the Judge? Not his Majeſty, ‘for the King judgeth not of Matters of Law, but ‘by his Courts; and his Courts, though ſitting by ‘his Authority, expect not his Aſſent in Matters ‘of Law: Not any other Courts, for they cannot ‘judge in that Caſe, becauſe they are inferior; no ‘Appeal lying to them from Parliament, the Judg- ‘ment whereof is, in the Eye of the Law, the ‘King's Judgment in his higheſt Court; though the ‘King, in his Perſon, be neither preſent nor aſ- ‘ſenting thereunto.

‘The

The *Votes* at which his Majeſty takes Exceptions are theſe: An. 18. Car. I. 1642. May.

1. *That the King's Abſence ſo far remote from the Parliament, is not only an Obſtruction, but may be a Deſtruction to the Affairs of* Ireland.

2. *That when the Lords and Commons ſhall declare what the Law of the Land is, to have this not only queſtioned and controverted, but contradicted, and a Command that it ſhould not be obeyed, is a high Breach of the Privilege of Parliament.*

3. *That thoſe Perſons that adviſed his Majeſty to abſent himſelf from the Parliament, are Enemies to the Peace of the Kingdom, and juſtly may be ſuſpected to be Favourers of the Rebellion in* Ireland.

4. *That the Kingdom hath been of late, and ſtill is, in ſo imminent Danger, both from Enemies abroad, and a* Popiſh *and diſcontented Party at Home, that there is an urgent and inevitable Neceſſity of putting his Majeſty's Subjects into a Poſture of Defence, for the Safeguard both of his Majeſty and his People.*

5. *That the Lords and Commons, fully apprehending this Danger, and being ſenſible of their own Duty to provide a ſuitable Prevention, have, in ſeveral* Petitions, *addreſſed themſelves to his Majeſty for the Ordering and Diſpoſing the* Militia *of the Kingdom, in ſuch a Way as was agreed upon, by the Wiſdom of both Houſes, to be moſt effectual and proper for the preſent Exigencies of the Kingdom, yet could not obtain it; but his Majeſty did, ſeveral Times, refuſe to give his Royal Aſſent thereunto.*

6. *That in this Caſe of extreme Danger, and his Majeſty's Refuſal, the* Ordinance *of Parliament agreed upon by both Houſes, for the* Militia, *doth oblige the People; and ought to be obeyed, by the Fundamental Laws of this Kingdom.*

'By all which it doth appear, that there is no 'Colour of this Tax, *That we go about to introduce 'a new Law*, much leſs to exerciſe an arbitrary 'Power; but indeed to prevent it: For this Law 'is as old as the Kingdom. That the Kingdom

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'must not be without a Means to preſerve itſelf; 'which, that it may be done without Confuſion, 'this Nation hath intruſted certain Hands with a 'Power to provide, in an orderly and regular Way, 'for the Good and Safety of the Whole; which 'Power, by the Conſtitution of this Kingdom, is 'in his Majeſty and in his Parliament together; yet 'ſince the Prince, being but one Perſon, is more 'ſubject to Accidents of Nature and Chance, where-'by the Common-Wealth may be deprived of the 'Fruit of that Truſt which was in part repoſed in 'him; in Caſes of ſuch Neceſſity, that the Kingdom 'may not be inforced preſently to return to its firſt 'Principles, and every Man left to do what is right in 'his own Eyes, without either Guide or Rule, the 'Wiſdom of this State hath intruſted the Houſes of 'Parliament with a Power to ſupply what ſhall be 'wanting on the Part of the Prince; as is evident 'by the conſtant Cuſtom and Practice thereof, in 'Caſes of Non-Age, natural Diſability, and Cap-'tivity; and the like Reaſon doth, and muſt, hold 'for the Exerciſe of the ſame Power in ſuch Caſes, 'where the Royal Truſt cannot be or is not diſ-'charged, and that the Kingdom runs an evident 'and imminent Danger thereby; which Danger, 'having been declared by the Lords and Commons 'in Parliament, there needs not the Authority of 'any Perſon or Court to affirm, nor is it in the 'Power of any Perſon or Court to revoke, that 'Judgment.

'We know the King hath Ways enough, in his 'ordinary Courts of Juſtice, to puniſh ſuch ſeditious 'Pamphlets and Sermons as are any way prejudicial 'to his Rights, Honour, and Authority; and if any 'of them have been ſo inſolently violated and vilified, 'his Majeſty's own Counſel and Officers have been 'to blame, and not the Parliament; we never did 'reſtrain any Proceedings of that Kind in other 'Courts, nor refuſe any fit Complaint to us. The '*Proteſtation proteſted* was referred by the Com-'mons Houſe to a Committee, and the Author not

'being

'being produced, the Printer was committed to Pri- An. 18. Car. I. 1642. May.
'ſon, and the Book voted by that Committee to
'be burnt; but Sir *Edward Dering*, who was to
'make that Report of the *Votes* of that Commit-
'tee, neglected to make it: The *Apprentices Pro-*
'*teſtation* was never complained of; but the other
'ſeditious Pamphlet, *To your Tents, O* Iſrael, was
'once queſtioned, and the full Proſecution of it
'was not interrupted by any Fault of either Houſe;
'whoſe Forwardneſs to do his Majeſty all Right
'therein may plainly appear, in that a Committee
'of Lords and Commons was purpoſely appointed
'to take ſuch Informations as the King's Counſel
'ſhould preſent, concerning ſeditious Words, Prac-
'tices or Tumults, Pamphlets or Sermons, tend-
'ing to the Derogation of his Majeſty's Rights, or
'Prerogative; and his Counſel were enjoined by
'that Committee, to inquire and preſent them, who
'ſeveral Times met thereupon, and received this
'Anſwer and Declaration from the King's Coun-
'ſel, *That they knew of no ſuch Thing as yet.*

'If his Majeſty had uſed the Service of ſuch a
'one in penning this *Anſwer*, who underſtood the
'Laws and Government of this Kingdom, he
'would not have thought it legally in his Power to
'deny his Parliament a Guard, when they ſtood in
'Need of it, ſince every ordinary Court hath it;
'neither would his Majeſty, if he had been well
'informed of the Laws, have refuſed ſuch a Guard
'as they deſired, it being in the Power of inferior
'Courts to command their own Guard; neither
'would he have impoſed upon them ſuch a Guard
'under a Commander which they could not con-
'fide in; which is clearly againſt the Privileges of
'Parliament, and of which they found very dan-
'gerous Effects, and therefore deſired to have it
'diſcharged: But ſuch a Guard, and ſo command-
'ed, as the Houſes of Parliament deſired, they
'could never obtain of his Majeſty; and the placing
'of a Guard about them contrary to their Deſire,
'was not to grant a Guard to them, but, in effect,
'to ſet one upon them. All which conſidered, we

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'believe, in the Judgments of any indifferent Perſons, it will not be thought ſtrange if there were 'a more than ordinary Reſort of People at *Weſtminſter*, of ſuch as came willingly, of their own 'Accord, to be Witneſſes and Helpers of the Safety 'of them whom all his Majeſty's good Subjects are 'bound to defend from Violence and Danger; or 'that ſuch a Concourſe as this, they carrying themſelves quietly and peaceably as they did, ought, 'in his Majeſty's Apprehenſion, or, can in the Interpretation of the Law, be held tumultuary and 'ſeditious.

'When his Majeſty, in that Queſtion of *Violation of the Laws*, had expreſſed the Obſervation of 'them indefinitely, without any Limitation of 'Time; although we never ſaid or thought any 'thing that might look like a Reproach to his Majeſty, yet we had Reaſon to remember that it 'had formerly been otherwiſe, leſt we ſhould ſeem 'to deſert our Complaints and Proceedings thereupon, as his Majeſty doth ſeem but little to like or 'approve of them; for although he doth acknowledge here that great Miſchief which grew by that 'arbitrary Power then complained of, yet ſuch are, 'continually, preferred and countenanced as were 'Friends or Favourers of, or related unto, the 'chief Authors and Actors of that arbitrary Power 'and of thoſe falſe Colours and Suggeſtions of imminent Danger and Neceſſity, whereby they did 'make it plauſible unto his Majeſty; and, on the 'other Side, ſuch as did appear againſt them are 'daily diſcountenanced and diſgraced; which, whilſt 'it ſhall be ſo, we have no Reaſon to judge the 'Diſeaſe to be yet killed and dead at Root; and 'therefore no Reaſon to bury it in Oblivion. And 'whilſt we behold the Spawns of thoſe miſchievous 'Principles cheriſhed and foſtered in that new Generation of Counſellors, Friends and Abettors of 'the former, or at leaſt concurring with them in 'their Malignancy againſt the Proceedings of the 'Parliament, we cannot think ourſelves ſecure from 'the like or a worſe Danger.

'A

'And here the Penner of the *Anſwer* beſtows an Admonition upon the Parliament, bidding us *take 'Heed we fall not upon the ſame Error, upon the 'ſame Suggeſtions*; but he might have well ſpared 'this, till he could have ſhewed wherein we had 'exerciſed any Power otherwiſe than by the Rule of 'the Law; or could have found a more authentic 'or a higher Judge in Matters of Law than the 'High Court of Parliament. An. 18. Car. I. 1642 May.

'It is declared in his Majeſty's Name, *That he is 'reſolved to keep the Rule himſelf, and, to his Power, 'to require the ſame of all others.* We muſt needs 'acknowledge that ſuch a Reſolution is like to bring 'much Happineſs and Bleſſing to his Majeſty and 'all his Kingdoms; yet, with Humility, we muſt 'confeſs we have not the Fruit of it, in that Caſe 'of the Lord *Kimbolton*, and the other five Mem-'bers, accuſed contrary to Law, both Common 'Law and Statute Law, and yet remaining unſa-'tisfied; which Caſe was remembered in our *De-'claration* as a ſtrange and unheard-of Violation of 'our Laws: But the Penner of this *Anſwer* thought 'fit to paſs it over, hoping that many would read 'his Majeſty's *Anſwer*, which hath been ſo care-'fully diſperſed, who would not read our *Decla-'ration.*

'Whereas, after our ample Thanks and Ac-'knowledgment of his Majeſty's Favour in paſſing 'many good Bills, we ſaid, *That Truth and Neceſ-'ſity inforced us to add this, That, in or about the 'Time of paſſing thoſe Bills, ſome Deſign or other 'hath been on foot, which, if it had taken Effect, 'would not only have deprived us of the Fruit of thoſe 'Bills, but would have reduced us to a worſe Condi-'tion of Confuſion, than that wherein the Parliament 'found us:* It is now told us, *That the King muſt be 'moſt ſenſible of what we caſt upon him, for Requi-'tal of thoſe good Bills*; whereas, out of our uſual 'Tenderneſs of his Majeſty's Honour, we did not 'mention him at all: But ſo injurious are thoſe 'wicked Counſellors to the Name and Honour of 'their Maſter and Sovereign, that, as much as they

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'can, they lay their own Infamy and Guilt upon 'his Shoulders.

'Here God is alſo called to witneſs *his Majeſty's* 'upright Intentions at the paſſing of thoſe Laws. 'This we will not queſtion; neither did we give 'any Occaſion for ſuch a ſolemn Aſſeveration as 'this is. The Devil is likewiſe defied to prove 'there was any Deſign, with his Majeſty's Know-'ledge or Privity. This might well have been 'ſpared; for we ſpake nothing of his Majeſty: 'But ſince we are ſo far taxed as to have it affirm-'ed, *That we laid a notorious and falſe Imputation* 'upon his Majeſty, we have thought it neceſſary 'for the juſt Defence of our own Innocency, to 'cauſe the *Oaths* and *Examinations*, which have 'been taken concerning the Deſign, to be publiſhed 'in a full *Narration*, for Satisfaction of all his Ma-'jeſty's Subjects, out of which we ſhall now offer 'ſome few Particulars; whereby the World may 'judge whether we could have proceeded with 'more Tenderneſs toward his Majeſty than we 'have done. Mr. *Goring* confeſſeth, "That the "King firſt asked him, Whether he were engaged in "any Cabal concerning the Army, and com-"manded him to join with Mr. *Piercy*, Mr. "*Jermyn*, and ſome others whom they ſhould find "within at Mr. *Peircy*'s Chamber, where they "took the Oath of Secrecy; and then debated of a "Deſign, propounded by Mr. *Jermyn*, to ſecure the "*Tower*, and to conſider of bringing up the Army "to *London*." And Captain *Legg* confeſſed, "He "had received the Draught of a *Petition* in the "King's Preſence"; and his Majeſty acknowledg-'eth it was from his own Hand. And whoſoever 'reads the Sum of that *Petition*, as it was proved 'by the Teſtimony of Sir *Jacob Aſhley*, Sir *John* 'Conyers, and Captain *Legg*, will eaſily perceive 'ſome Points in it apt to beget in them ſome Diſ-'content againſt the Parliament. And can any 'Man believe there was no Deſign in the Accuſa-'tion of the Lord *Kimbolton* and the reſt, in which 'his Majeſty doth avow himſelf to be both a Com-

'mander

'mander and an Actor? Theſe Things being ſo, An. 18. Car. I. 1642. May.
'it will eaſily appear to be as much againſt the
'Rules of Prudence, that the Penner of this *Anſwer*
'ſhould entangle his Majeſty in this unneceſſary
'Apology; as it is againſt the Rules of Juſtice,
'that any Reparation from us ſhould be either
'yielded, or demanded.

'It is profeſſed in his Majeſty's Name, *That he*
'*is truly ſenſible of the Burdens of his People*; which
'makes us hope that he will take that Courſe which
'will be moſt effectual, to eaſe them of theſe Bur-
'dens; that is, to join with his Parliament in
'preſerving the Peace of the Kingdom; which, by
'his Abſence from them, hath been much endanger-
'ed; and which, by hindring the voluntary Ad-
'venturers for Recovery of *Ireland*, and diſabling
'the Subjects to diſcharge the great Tax laid upon
'them, is like to make the War much more heavy
'to the Kingdom. And for his Majeſty's Wants;
'the Parliament have been no Cauſe of them: We
'have not diminiſhed his juſt Revenue; but
'have much eaſed his public Charge, and ſome-
'what his private. And we ſhall be ready, in a
'Parliamentary Way, to ſettle his Revenue in ſuch
'an honourable Proportion, as may be anſwerable
'to both, when he ſhall put himſelf into ſuch a
'Poſture of Government, that his Subjects may be
'ſecure to enjoy his juſt Protection for their Re-
'ligion, Laws, and Liberties.

'We never refuſed his Majeſty's gracious Offer of
'a free and general Pardon, only we ſaid, *It could*
'*be no Security to our preſent Fears and Jealouſies:*
'And we gave a Reaſon for it, *That thoſe Fears*
'*did not ariſe out of any Guilt of our own Actions*;
'*but out of the evil Deſigns and Attempts of o-*
'*thers.* And we leave it to the World to judge,
'whether we, herein, have deſerved ſo heavy a
'Tax and Exclamation, *That it was a ſtrange*
'*World when Princes proffered Favours are counted*
'*Reproaches*, ſuch are the Words of his Majeſty's
'*Anſwer*. We do eſteem that Offer as an Act of
'Princely Grace and Bounty, which, ſince this

'Par-

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'Parliament began, we have humbly deſired we 'might obtain; and do ſtill hold it very neceſ- 'ſary and advantageous for the Generality of the 'Subjects, upon whom theſe Taxes and Subſidies lie 'heavieſt; but we ſee, upon every Occaſion, how 'unhappy we are in his Majeſty's Miſapprehen- 'ſions of our Words and Actions.

'We are fully of the King's Mind as it is here 'declared, *That he may reſt ſo ſecure of the Affections 'of his Subjects, that he ſhould not ſtand in Need of 'foreign Force to preſerve him from Oppreſſion*; and 'are confident, that he ſhall never want an abun- 'dant Evidence of the good Wiſhes and Aſſiſtance 'of his whole Kingdom; eſpecially if he ſhall be 'pleaſed to hold to that gracious Reſolution of 'building upon that ſure Foundation, *the Law of 'the Land*: But why his Majeſty ſhould take it ill, 'that we, having received Informations ſo deeply 'concerning the Safety of the Kingdom, ſhould 'think them proper to be conſidered of, we can- 'not conceive; for although the Name of the 'Perſon were unknown, yet that which was more 'ſubſtantial to the Probability of the Report was 'known; that is, that he was Servant to the Lord '*Digby*; who, in his preſumptuous Letter to the 'Queen's Majeſty, and other Letters to Sir *Lewis 'Dives*, had intimated ſome wicked Propoſition ſuit- 'able to that Information: But that this ſhould 'require Reparation, we hold it as far from Juſtice 'as it is from Truth, *That we have mix'd any 'Malice with theſe Rumours, thereby to feed the Fears 'and Jealouſies of the People.*

'It is affirmed, *his Majeſty is driven (but not by 'us yet) from us.* Perchance hereafter, if there be 'Opportunity of gaining more Credit, they will not 'be wanting who will ſuggeſt unto his Majeſty 'That it is done *by us.* And if his Majeſty were 'driven from us, we hope it was not by his own 'Fears, but by the Fears of the Lord *Digby* 'his Retinue of Cavaliers: And thoſe not Fears 'any tumultuary Violence, but of their juſt Diſ- 'miſſion

'niſhment for their manifold Inſolence, and intended 'Violence, againſt the Parliament: And this is ex- 'preſsly declared by the Lord *Digby* himſelf, when he 'told thoſe Cavaliers, *That the principal Cauſe of his 'Majeſty's going out of Town was to ſave them from be- 'ing trampled in the Dirt*: But of his Majeſty's Per- 'ſon there was no Cauſe of Fear, in the greateſt Heat 'of the People's Indignation after the Accuſation; 'and at his Majeſty's violent Coming to the Houſe, 'there was no Shew of any evil Intention againſt 'his Royal Perſon; of which there can be no bet- 'ter Evidence then this, That he came next Day 'without a Guard into the City, where he heard 'nothing but Prayers and Petitions; no Threat- 'nings or irreverent Speeches that might give him 'any juſt Occaſion of Fear, that we have heard 'of, or that his Majeſty expreſt; for he ſtayed 'near a Week after at *White hall*, in a ſecure 'and peaceable Condition; whereby we are in- 'duced to believe, that there is no Difficulty nor 'Doubt at all, but his Majeſty's Reſidence near '*London* may be as ſafe as in any Part of the King- 'dom. We are moſt aſſured of the Faithfulneſs of 'the City and Suburbs; and, for ourſelves, we 'ſhall quicken the Vigour of the Laws, the Induſtry 'of the Magiſtrate, and the Authority of Parliament, 'for the ſuppreſſing of all tumultary Inſolencies 'whatſoever; and for the vindicating of his Ho- 'nour from all inſupportable and inſolent Scandals, 'if any ſuch ſhall be found to be raiſed upon him, as 'are mentioned in this *Anſwer*: And we therefore 'think it altogether unneceſſary, and exceeding in- 'convenient, to adjourn the Parliament to any 'other Place.

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'Where the Deſire of a good Underſtanding be- 'twixt the King and the Parliament is, on both 'Parts, ſo earneſt, as is here profeſs'd of his Ma- 'jeſty to be in him, and we have ſufficiently teſti- 'fied to be in ourſelves, it ſeems ſtrange we ſhould 'be ſo long aſunder: It can be nothing but evil and 'malicious Counſel, miſrepreſenting our Carriage

'to

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'to him in diſpoſing his Favours to us: And as it 'ſhall be far from us to take any Advantage of his 'Majeſty's ſuppoſed Straits, as to deſire, much leſs 'to compel, him to that which is Honour or 'Intereſt may render unpleaſant and grievous to 'him; ſo we hope that his Majeſty will not make 'his own Underſtanding or Reaſon the Rule of his 'Government; but will ſuffer himſelf to be aſſiſt-'ed with a wiſe and prudent Counſel, that may 'deal faithfully betwixt him and his People: And 'that he will remember that his Reſolutions do 'concern Kingdoms; and therefore ought not to 'be moulded by his own, much leſs by any other 'private Perſon, which is not alike proportionable 'to ſo great a Truſt. And therefore we ſtill de-'ſire and hope that his Majeſty will not be guid-'ed by his own Underſtanding, or think thoſe 'Courſes Straits and Neceſſities, to which he ſhall 'be adviſed by the Wiſdom of both Houſes of Par-'liament which are the Eyes in this Body Politic, 'whereby his Majeſty is, by the Conſtitution of 'this Kingdom, to diſcern the Differences of thoſe 'Things which concern the Public Peace and 'Safety thereof.

'We have given his Majeſty no Cauſe to ſay, '*That we do meanly value the Diſcharge of his Pub-'lic Duty.* Whatſoever Acts of Grace or Juſtice 'have been done, they proceeded from his Majeſty 'by the Advice and Counſel of his Parliament; yet 'we have and ſhall always anſwer them with 'conſtant Gratitude, Obedience, and Affection: 'And although many Things have been done, 'ſince this Parliament, of another Nature, yet we 'ſhall not ceaſe to deſire the continued Protection of 'Almighty God upon his Majeſty; and moſt hum-'bly petition him to caſt from him all thoſe evil 'and contrary Counſels, which have, in many 'Particulars formerly mentioned, much detracted 'from the Honour of his Government, the Hap-'pineſs of his own Eſtate, and Proſperity of his 'People.

'And

'And having paſt ſo many Dangers from abroad, An. 18. Car. I. 1642. May.
'ſo many Conſpiracies at home, and brought on the
'Public Work ſo far, through the greateſt Difficul-
'ties that ever ſtood in Oppoſition to a Parliament,
'to ſuch a Degree of Succeſs, that nothing ſeems
'to be left in our Way able to hinder the full Ac-
'compliſhment of our Deſires and Endeavours for
'the Public Good; unleſs God in his Juſtice, do
'ſend ſuch a grievous Curſe upon us, ſo as to turn
'the Strength of the Kingdom againſt itſelf, and to
'effect that by their own Folly and Credulity, which
'the Power and Subtilty of their and our Enemies
'could not attain; that is, to divide the People
'from the Parliament, and to make them ſerviceable
'to the Ends and Aims of thoſe who would de-
'ſtroy them: Therefore we deſire the Kingdom
'to take notice of this laſt moſt deſperate and miſ-
'chievous Plot of the Malignant Party, that is
'acted and proſecuted in many Parts of the King-
'dom, under the plauſible Notions of ſtirring them
'up to a Care of preſerving the King's Prerogative,
'maintaining the Diſcipline of the Church, up-
'holding and continuing the Reverence and Solem-
'nity of God's Service, and encouraging of Learn-
'ing. Upon theſe Grounds, divers *mutinous Peti-*
'*tions* have been framed in *London*, *Kent*, and o-
'ther Counties; ſundry of his Majeſty's Subjects
'have been ſolicited to declare themſelves for the
'King, againſt the Parliament; and many falſe
'and foul Aſperſions have been caſt upon our Pro-
'ceedings, as if we had been not only negligent, but
'averſe in theſe Points; whereas we deſire nothing
'more, than to maintain the Purity and Power of
'Religion, and to honour the King in all his juſt Pre-
'rogatives. And for Encouragement and Advance-
'ment of Piety and Learning, we have very earneſt-
'ly endeavoured, and ſtill do, to the utmoſt of our
'Power, that all Pariſhes may have learned, pious,
'and ſufficient Preachers, and all ſuch Preachers
'competent Livings.

'Many other Bills and Propoſitions are in Prepa-
'ration for the King's Profit and Honour, and the
'People's

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'People's Safety and Proſperity; inthe Proceedings 'whereof we are much hindred by his Majeſty's 'Abſence from the Parliament, which is altogether 'contrary to the Uſe of his Predeceſſors, and the 'Privileges of Parliament; whereby our Time is 'conſumed by a Multitude of unneceſſary *Meſſages*, 'and our Innocency wounded by cauſeleſs and 'ſharp Invectives: Yet we doubt not but we 'ſhall overcome all this at laſt, if the People ſuffer 'not themſelves to be deluded with falſe and ſpeci-'ous Shews; and ſo drawn to betray us, to their 'own Undoing, who have ever been willing to 'hazard the Undoing of ourſelves, that they might 'not be betrayed by our Neglect of the Truſt re-'poſed in us; but, if it were poſſible, they ſhould 'prevail herein, yet we would not fail, through 'God's Grace, ſtill to perſiſt in our Duties, and 'to look beyond our own Lives, Eſtates, and Ad-'vantages; as thoſe who think nothing worth 'the enjoying without the Liberty, Peace, and 'Safety of the Kingdom; nor any Thing too 'good to be hazarded, in Diſcharge of our Conſci-'ences, for the obtaining of it; and ſhall always 'repoſe ourſelves upon the Protection of Almighty 'God, which we are confident ſhall never be 'wanting to us, while we ſeek his Glory; as we 'have found it, hitherto, wonderfully going along 'with us in all our Proceedings.'

To ſupport the Allegations ſet forth in the foregoing *Declaration*, there were added a great Number of *Examinations*, *Letters*, *Warrants*, and *Deſitions*, ſelected out of ſuch as had been laid bef both Houſes, and digeſted into Order by Comm tees appointed for that Purpoſe.——But, as moſt theſe have already been taken Notice of, in t proper Series, we paſs them over with a F rence. *(k)*

(k) All theſe *Inſtruments* are printed, at large, in *Huſba lections*, from Page 215 to 239.

May 23. Another Letter from the Lord *Howard*, at *York*, directed to the Lord Keeper, dated the 21ſt of *May*, was read to the Lords *in hæc Verba* (*l*): An. 18. Car. I. 1642. May.

My Lord,

A fourth Letter to the Parliament from their Committee at *York*.

BY my laſt I ſent your Lordſhip a Copy of a Warrant, from his Majeſty to the Head Conſtable, for ſummoning the Regiment, late Sir Robert Strickland's, *which being met together, their Officers have drawn them hither to this City, and billetted them here; where, by Courſe, divers were called to attend at the Court, as a Guard to his Majeſty's Perſon. We do not hear that there is any Colonel, or Lieutenant-Colonel: But one Captain* Duncomb, *who is Serjeant-Major, and one who was ſent for as a Delinquent touching the* Petition *for ſtaying the Magazine, is the active Man who both raiſed them, and commands in Chief.*

At their firſt Coming to Town, we attended his Majeſty, but we could not prevail for the Diſbanding of them. We have delivered your Ordinance *to the Sheriff, and required him to do his Duty. His Anſwer was, He would do it to the utmoſt of his Power; but that theſe being now without his County, he would not meddle with them; but he would take Advice what was fit for him to do. Shortly after he returned to us, and ſaid, The King had ſent for him, and inquired if he had not ſome Commands from the Parliament; he then ſhewed him the* Ordinance, *and, after his Majeſty had read it, he required him, on his Allegiance, not to obey any of thoſe Commands: But how the Sheriff will demean himſelf for the future, for the preventing the raiſing of any more of theſe Train'd Bands, we do not know.*

This Day the Horſe were muſtered, who were ſummoned to be here Yeſterday; and not only thoſe who came on their voluntary Offers, but divers appeared upon Summons by the printed Paper, *the Copy of which I ſent*

(*l*) None of the Letters from this Committee, (except the ſecond, in Volume X. p. 518.) are in the *Collections* or *Pamphlets* of the Times, or the *Commons Journals*; and we give them from thoſe of the *Lords*.

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ſent in my laſt Letter; the whole Number, as we are informed, were under two hundred. It is told us, His Majeſty will keep about fifty here for his Guard, and that the reſt ſhould be ready to attend upon Summons, but are diſmiſſed for the preſent.

On Friday *next the Freeholders, Copyholders, and all other able Farmers, are ſummoned to be here; but upon what Occaſion, or what the Event will be, we cannot tell. If nothing happen before that Time, which may occaſion us to write, I ſhall then, at the furtheſt, give your Lordſhip an Account of that Buſineſs; and, in the mean while, I reſt,*

My Lord,

Your Lordſhip's humble and faithful Servant,

ED. HOWARD.

York, May 21, 1642.

P. S. *The Sheriff came to us this Day and delivered the annexed* Paper, *as an Anſwer to thoſe Commands enjoined by the* Ordinance.

'Since the receiving of your Order, I cannot find 'there are any in this County, who are aſſembled 'together in a Poſture of War, or Diſturbers of 'the Public Peace. When any ſuch ſhall appear, 'I will be moſt ready to diſcharge the Duty of a 'faithful Subject, according as I am obliged by 'my Oath and the Law of the Land.

RICHARD HUTTON.

The next Thing we find memorable in this Day's Tranſaction, is an *Order* of the Lords to diſcharg the Guards, which had attended both Houſes for long Time, untill they ſhould receive further Co mands; and that the Houſe of Commons ſhoul acquainted therewith.

The Lord Keeper deſerts the Parliament, and joins the King.

In the Afternoon of this Day the Lords were formed, That the Lord Keeper, having Lea the Houſe to be a few Days abſent for his H was gone to *York*, and had parted with the Seal two Days before. Hereupon it was *or* That the Gentleman-Uſher attending that

or his Deputy, ſhould forthwith take into Cuſtody the Right Honourable *Edward* Lord *Littleton*, and bring him before the Lords in Parliament; and, together with him, the Great Seal, if it be in his Cuſtody. An. 18. Car. I. 1642. May.

Ordered alſo, That all Sheriffs, Mayors, Conſtables, and other his Majeſty's Officers, ſhall be aiding to the Gentleman-Uſher, or his Deputies.

Some further Account of this remarkable Affair may be here very proper; becauſe the King's getting Poſſeſſion of the Great Seal was thought, by all Parties, a moſt conſiderable Advantage. The Lord Keeper *Littleton*, by having declared his Opinion in favour of the *Ordinance* for the *Militia*; by refuſing to demand of the Earls of *Eſſex* and *Holland* the Reſignation of their Offices of Chamberlain of the Houſhold and Groom of the Stole, as beforementioned; *(m)* and by complying with the prevailing Party in Oppoſition to the King, had highly diſguſted his Majeſty; inſomuch that his Leaving the Parliament was by them abſolutely unexpected.

Lord *Clarendon* has given us a very particular Narrative of the Manner, by which this Affair was conducted; and which is the more to be regarded, becauſe he was the very Perſon intruſted by the King to bring it about. The Whole is too long for our Purpoſe, we ſhall therefore content ourſelves with ſome of the moſt remarkable Circumſtances, and refer to his Lordſhip's Hiſtory for the reſt. *(n)*

'At an Interview of the Lord Keeper and Mr. *Hyde*, (between whom there had been frequent Viſits) the latter, with great Freedom and Plainneſs, told his Lordſhip, 'How much he had loſt the E-'ſteem of all good Men, and that the King could 'not but be exceedingly diſſatisfied with him;' and diſcourſed over the Matter of his Vote upon the *Ordinance* for the *Militia*. As ſoon as Mr. *Hyde* had entered upon this Diſcourſe, which he heard with

(m) In our Tenth Volume, p. 214, and p. 429.
(n) *Hiſt. of the Rebellion*, Vol. III. *Octavo Ed.* p. 568.

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with all Attention, they being by themſelves in his Study at *Exeter-Houſe*, he roſe from his Chair and went to the Door; and finding ſome Perſons in the next Room, he bad them to withdraw; and, locking both the Door of that Room and of his Study, he ſat down himſelf, and making Mr. *Hyde* ſit down too, he begun 'With giving him many Thanks for 'his Friendſhip to him, which, he ſaid, he had ever 'eſteemed; and he could not more manifeſt the 'Eſteem he had of it and him, than by uſing that 'Freedom again with him which he meant to do. 'Then he lamented his own Condition; and that 'he had been preferred from the *Common Pleas*, 'where he knew both the Buſineſs and the Perſons 'he had to deal with, to the other high Office he 'now held; which obliged him to converſe and 'tranſact with another Sort of Men, who were not 'known to him, and in Affairs which he under-'ſtood not, and had not one Friend among them 'with whom he could confer upon any Doubt 'which occurred to him.'

'He ſpoke then of the unhappy State and Condition of the King's Buſineſs; how much he had been, and was ſtill, betrayed by Perſons who were about him; and with all poſſible Indignation againſt the Proceedings of the Parliament; and ſaid, 'They 'would never do this, if they were not reſolved to 'do more: That he knew the King too well, and 'obſerved the Carriage of particular Men too much, 'and the whole Current of public Tranſactions 'theſe laſt five or ſix Months, not to foreſee that it 'could not be long before there would be a War 'between the King and the two Houſes; and of 'the Importance, in that Seaſon, that the Great 'Seal ſhould be with the King.' Then he fell into many Expreſſions of his Duty and Affection to the King's Perſon, as well as to his high Degree; and, 'That no Man ſhould be more ready to periſh with, 'and for, his Majeſty, than he would be: That the 'Proſpect he had of this Neceſſity had made him car-'ry himſelf towards that Party with ſo much Com-'pliance, that he might be gracious with them, at 'leaſt

'leaſt that they might have no Diſtruſt of him, An. 18. Car. I. 1642. May.
'which he knew many had endeavoured to infuſe
'into them; and that there had been a Conſulta-
'tion, within few Days, whether, in regard that
'he might be ſent for by the King, or that the
'Seal might be taken from him, it would not be
'beſt to appoint the Seal to be kept in ſome ſuch
'ſecure Place, as that there might be no Danger of
'loſing it; and that the Keeper ſhould always re-
'ceive it for the Execution of his Office, they ha-
'ving no Purpoſe to diſoblige him. And the
'Knowledge he had of this Conſultation, and Fear
'he had of the Execution of it, had been the Rea-
'ſon why, in the late Debate upon the *Militia*,
'he had given his Vote in ſuch a Manner as he
'knew would make very ill Impreſſions with the
'King, and many others who did not know him
'very well; but that, if he had not in that Point
'ſubmitted to their Opinion, the Seal had been ta-
'ken from him that Night; whereas, by his Com-
'pliance in that *Vote*, which could only prejudice
'himſelf, and not the King, he had gotten ſo
'much into their Confidence, that he ſhould be
'able to preſerve the Seal in his own Hands till
'the King required it, and then he would be as
'ready to attend his Majeſty with it.'

'Mr. *Hyde* was very well pleaſed with this Diſ-
courſe, and aſked him, 'Whether he would give
'him Leave, when there ſhould be a fit Occaſion,
'to aſſure the King, that he would perform this
'Service when the King ſhould require it?' He de-
ſired 'That he would do ſo, and paſs his Word for
'the Performance of it, as ſoon as his Majeſty
'pleaſed;' and ſo they parted.—The King, being informed of what had paſſed at this Interview, was at firſt very unwilling to rely upon the Lord Keeper's Promiſes, but being at length ſatisfied of his good Intentions towards him, reſolved, 'That he
'would ſuch a Day of the Week following, ſend
'for the Keeper and the Seal;' and that it ſhould be, as had been adviſed, upon a *Saturday* Afternoon, as ſoon as the Houſe of Lords ſhould riſe, becauſe

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then no Notice could be taken of it till *Monday*. Mr. *Hyde*, who had continued to ſee the Keeper frequently, and was confirmed in his Confidence of his Integrity, went now to him; and finding him firm to his Reſolution, and of Opinion, in regard of the high Proceedings of the Houſes, that it ſhould not be long deferred; he told him, 'That he might expect a Meſſenger the next Week, and that he 'ſhould once more ſee him, when he would tell 'him the Day; and that he would then go himſelf away before him to *York*.'

'Accordingly on the *Saturday* following, between Two and Three of the Clock in the Afternoon, Mr. *Elliot*, a Groom of the Bedchamber to the Prince, came to the Keeper, and found him alone in the Room where he uſed to ſit; and delivered him a Letter from the King, in his own Hand, wherein he required him, with many Expreſſions of Kindneſs and Eſteem, 'to make Haſte to him; 'and if his Indiſpoſition (for he was often troubled 'with Gravel and Sharpneſs of Urine) 'would not 'ſuffer him to make ſuch Haſte upon the Journey 'as the Occaſion required, that he ſhould deliver 'the Seal to the Perſon who gave him the Letter; 'who, being a ſtrong young Man, would make 'ſuch Haſte as was neceſſary; and that he might 'make his own Journey by thoſe Degrees which 'his Health required.' The Keeper was ſurprized with the Meſſenger, whom he did not like; and more when he found that he knew the Contents of the Letter, which he hoped would not have been communicated to any Man who ſhould be ſent. He anſwered him with much Reſervation; and when the other, with Bluntneſs, (as he was no polite Man) demanded the Seal of him, which he had not thought of putting out of his own Hands, anſwered him, 'That he would not deliver it into 'any Hands but the King's;' but preſently reflecting himſelf, and looking over his Letter again, he quickly conſidered, that it would be hazardous to carry the Seal himſelf ſuch a Journey; and that by any Purſuit of him, which he could not

ſuſpect, he ſhould be ſeized upon, the King would be very unhappily diſappointed of the Seal, which he had Reaſon ſo much to depend upon; and that his Misfortune would be wholly imputed to his own Fault and Infidelity; (which, without Doubt, he abhorred with his Heart) and the only Way to prevent that Miſchief, or to appear innocent under it, was to deliver the Seal to the Perſon truſted by the King himſelf to receive it; and ſo, without telling him any thing of his own Purpoſe, he delivered the Seal into his Hands; who forthwith put himſelf on his Horſe, and, with wonderful Expedition, preſented the Great Seal into his Majeſty's own Hands, who was infinitely pleaſed both with it and the Meſſenger. (*o*)

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'The Keeper, that Evening, pretended to be indiſpoſed, and that he would take his Reſt early, and, therefore ordered, that Nobody ſhould be admitted to ſpeak with him; he then called Serjeant *Lee* to him, who was the Serjeant that waited upon the Seal, and in whom he had great Confidence, and told him freely, 'That he was reſolved, the next Morning, 'to go to the King, who had ſent for him; that 'he knew well how much Malice he ſhould con'tract by it from the Parliament, which would uſe 'all the Means they could to apprehend him; and 'he himſelf knew not how he ſhould perform the 'Journey, therefore he put himſelf intirely into his 'Hands; that he ſhould cauſe his Horſes to be rea'dy againſt the next Morning, and only his own

(*o*) Mr. *Ruſhworth* adds this remarkable Circumſtance relating to the carrying off the Great Seal:—'In Mr. *Elliot*'s Paſſage towards *York*, the *Author* of the *Collections* met him at *Witham*, a Poſt Stage between *Grantham* and *Stamford*, who, with a Fall off his Horſe, had hurt his Shoulder; and ſeeing the *Author*, his old Acquaintance, demanded, *What News?* (thinking he had been ſent after him by the Parliament to recover the Great Seal) To which he replied to Mr. *Elliot*, (not imagining he had then with him the Great Seal) *That he came from* York; *that the King was well*; *and that he was going with Letters from the Committee of Parliament at* York, *to both Houſes, wherein ſome* Anſwers *from the King were incloſed to the Parliament.* To which Mr. *Elliot* replied, *It was fit the* Author *ſhould make Haſte*; *and therefore*, ſaid he, *take my Horſes which are ready ſadled*, fearing leſt the *Author* ſhould raiſe the Country againſt him; ſo we parted at that Time.'——

Ruſh. Vol. IV. p. 718.

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'Groom to attend them, and he to guide the beſt 'Way; and that he would not impart it to any 'other Perſon,' The honeſt Serjeant was very glad of the Reſolution, and chearfully undertook all Things for the Journey; and ſo ſending the Horſes out of Town, the Keeper put himſelf in his Coach very early the next Morning; and as ſoon as they were out of the Town, he and the Serjeant, and one Groom, took their Horſes, and made ſo great a Journey that Day, it being about the Beginning of *June*, (*p*) that, before the End of the third Day, he kiſs'd the King's Hand at *York*.

'He had purpoſely procured the Houſe of Peers to be adjourned to a later Hour, in the Morning for *Monday*, than it uſed to be. *Sunday* paſſed without any Man's taking Notice of the Keeper's being abſent; and many, who knew he was not at his Houſe, thought he had been gone to *Cranford*, to his Country Houſe, whither he frequently went on *Saturday* Nights, and was early enough at the Parliament on *Monday* Mornings; and ſo the Lords the more willingly conſented to the later Adjournments for thoſe Days.'

The Lords appoint a Committee to conſider of an Accommodation with the King.

The Lord-Keeper's unexpected Conduct occaſioned, as Lord *Clarendon* adds, 'ſo great a Dejection in the Houſe of Lords, that, upon the News thereof, the Earl of *Northumberland*, who had been of another Temper, moved, That a Committee might be appointed, to conſider how there might be an Accommodation between the King and his People, for the Good, Happineſs and Safety of both King and Kingdom.' A Committee was appointed accordingly; and, upon that Occaſion, the Earl of *Briſtol* made the following Speech: (*q*)

My Lords,

The Earl of Briſtol's Speech thereupon.

'I Have ſpoken ſo often upon the Subject of A commodation, with ſo little Acceptance, with ſo ill Succeſs, that it was in my Intention

(*p*) By the *Lords Journals* it muſt have been the 22d of *M*

(*q*) From the original Edition, printed by *I. Smith* and *A*

to have made any further Eſſay in this Kind; but my Zeal to the Peace and Happineſs of this Kingdom, and my Apprehenſions of the near Approach of unſpeakable Miſeries and Calamities, ſuffer me not to be Maſter of mine own Reſolution. An. 18. Car. I. 1642. May.

'Certainly this Kingdom hath, at all Times, many Advantages over the other Monarchies of *Europe*; as, of Situation, of Plenty, of rich Commodities; of Power both by Sea and Land: But more particularly at this Time, when all our neighbouring States are, by their ſeveral Intereſts, ſo involved in War, and with ſuch Equality of Power that there is not much Likelihood of their maſtering one another, nor of having their Differences eaſily compounded; and thereby, we alone being admitted to to trade to all Places, Wealth and Plenty, which ever follow where Trade flouriſheth, are in a Manner caſt upon us.

'I ſhall not trouble your Lordſhips by putting you in mind of the great and noble Undertakings of our Anceſtors; nor ſhall I paſs higher than the Times within mine own Remembrance.

'Queen *Elizabeth* was a Princeſs diſadvantaged by her Sex, by her Age, and chiefly by her Want of Iſſue; yet if we ſhall conſider the great Effects wrought upon moſt of the States of *Chriſtendom* by this Nation, under her prudent Government (the Growth of the Monarchy of *Spain* chiefly by her impeached; the United Provinces by her protected; the *French* in their greateſt Miſeries relieved; moſt of the Princes of *Germany* kept in high Reſpect and Reverence towards her and this Kingdom; and the Peace and Tranquility wherein this Kingdom flouriſhed, and which hath been continued down unto us by the peaceable Government of King *James*, of bleſſed Memory, and of his now Majeſty, untill theſe late unhappy Interruptions) we cannot but judge this Nation equally capable, with any other, of Honour, Happineſs, and Plenty.

'Now if, inſtead of this happy Condition, in which we have been, and might be, upon a ſober and impartial Inquiry we ſhall find ourſelves to

An. 18. Car. I. 1642. May. have been, for ſome few Years laſt paſt, involved in ſo many Troubles and Diſtractions, and at the preſent to be reduced to the very Brink of Miſeries and Calamities; it is high Time for us to conſider by what Means we have been brought into them, and by what Means it is moſt probable we may be brought out of them.

'This Kingdom never enjoyed ſo univerſal a Peace, neither hath it any viſible Enemy in the whole World, either Infidel or Chriſtian; our Enemies are only of our own Houſe, ſuch as our own Diſſentions, Jealouſies, and Diſtractions have raiſed up: And certainly where they are found, eſpecially betwixt a King and his People, no other Cauſe of the Unhappineſs and Miſery of a State need to be ſought after; for Civil Diſcord is a plentiful Source, from whence all Miſeries and Miſchiefs flow.

'The Scripture telleth us of the Strength of a little City united, and of the Inſtability of a Kingdom divided within itſelf: So that, upon a prudent Enquiry, we may aſſign our own Jealouſies and Diſcords for the chief Cauſe of our paſt and preſent Troubles, and of our future Fears.

'It muſt be confeſs'd, that, by the Counſel and Conduct of evil Miniſters, the Subjects had Cauſe to think their juſt Liberties invaded; and from thence have our former Diſtempers grown: For it is in the Body Politic of a Monarchy, as in the Natural Body, the Health whereof is defined to be, *Partium Corporis æqua Temperies*, an equal Temper of the Parts: So likewiſe a State is well in Health and well diſpoſed, when Sovereign Power and common Right are equally ballanced, and kept in even Temper, by juſt and equitable Rules.

'And truly, my Lords, by the Goodneſs of his Majeſty, and by the prudent Endeavour of the Parliament, this State is almoſt reduced to that equal and even Temper; and our Sickneſs is rather continued out of Fancy and Conceit, (I mean Fears and Jealouſies) than out of any real Diſtempers.

'I well remember, that, before the Beginning of this Parliament, ſome Noble Lords preſented a Petition

tition unto the King; and in that Petition did ſet down all or moſt of the Grievances and Diſtempers of the Kingdom which then occurred to them. To theſe, as I conceive, the Parliament have procured, from his Majeſty, ſuch Redreſſes as are to their good Satisfaction. *(r)* An. 18. Car. I. 1642. May.

'Many other Things for the Eaſe, Security, and Comfort of the Subject, have been, by their great Induſtry, found and propounded; and, by his Majeſty's Goodneſs, condeſcended unto. And now we are come ſo near the Happineſs of being the moſt free and moſt ſettled Nation in the Chriſtian World, our Dangers and Miſeries will grow, every Day, greater and nearer, if not ſpeedily prevented.

'The King, on his Part, offereth to concur with us in the ſettling all the Liberties and Immunities, either for the Property of our Goods or Liberty of our Perſons, which we have received from our Anceſtors, or which himſelf hath granted unto us; and as to what ſhall yet remain for the Good and Comfort of his Subjects, he is willing to hearken to all our juſt and reaſonable Propoſitions; and for the eſtabliſhing the true *Proteſtant* Religion, he wooes us to it; and the Wiſdom and Induſtry of the Parliament hath now put it in a hopeful Way.

'The Rule of his Government, he profeſſeth, ſhall be the Laws of the Kingdom; and, for the comforting and ſecuring of us, he offereth a much more large and more general Pardon than hath been granted by any of his Predeceſſors. And truly, my Lords, this is all that ever was, or can be, pretended unto by us.

'We, on the other Side, make Profeſſion, That we intend to make his Majeſty a glorious King; to endeavour to ſupport his Dignity; and to pay unto him that Duty and Obedience, which, by our Allegiance, ſeveral Oaths, and late *Proteſtation*, we owe unto him, and to maintain all his juſt Regalities

(r) Alluding to the *Petition* (in our Eighth Volume, p. 491.) preſented by the Earls of *Bedford*, *Eſſex*, &c. for ſummoning of a Parliament.

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ties and Prerogatives; which I conceive to be as much as his Majeſty will expect from us.

'So that, my Lords, we being both, thus reciprocally, agreed of that which in general would make both King and People happy, ſhall be moſt unfortunate, if we ſhall not bring both Inclinations and Endeavours ſo to propound and ſettle Particulars, as both King and People may know what will give them mutual Satisfaction; which certainly muſt be the firſt Step towards the ſettling of a right Underſtanding betwixt them. And in this I ſhould not conceive any great Difficulty, if it were once put into a Way of Preparation. But the greateſt Difficulty may ſeem to be, How that which may be ſettled and agreed upon may be ſecured? This is commonly the laſt Point in Treaties betwixt Princes, and of the greateſt Niceneſs; but much more betwixt a King and his Subjects, where that Confidence and Belief which ſhould be betwixt them is once loſt: And, to ſpeak clearly, I fear that this may be our Caſe, and herein may conſiſt the chiefeſt Difficulty of Accommodation; for it is much eaſier to compoſe Differences ariſing from Reaſon, yea, even from Wrongs, than it is to ſatisfy Jealouſies; which, ariſing out of Diffidence and Diſtruſt, grow and are varied upon every Occaſion.

'But, my Lords, if there be no Endeavours to allay and remove them, they will every Day increaſe and gather Strength; nay, they are already grown to that Height, and the mutual Replies to thoſe direct Terms of Oppoſition, that if we make not a preſent Stop, it is to be feared it will ſpeedily paſs further than verbal Conteſtations.

'I obſerve, in ſome of his Majeſty's Anſwers, a *Civil War* ſpoken of: I confeſs it is a Word of Horror to me, who have been an Eye-Witneſs of thoſe inexpreſſible Calamities that, in a ſhort Time, the moſt plentiful and flouriſhing Countries of *Europe* have been brought into by an inteſtine War.

'I further obſerve, 'That his Majeſty proteſte againſt the Miſeries that may enſue by a War, a that he is clear of them.' It is true that a Proteſt

tic

tion of that Kind is no actual Denouncing of War, but it is the very next Degree to it; *ultima Admonitio*, as the Civilians term it, the laſt Admonition: So that we are upon the very Brink of our Miſeries. It is better keeping out of them than getting out of them; and, in a State, the Wiſdom of Prevention is infinitely beyond the Wiſdom of Remedies. If, for the Sins of this Nation, theſe Miſunderſtandings ſhould produce the leaſt Act of Hoſtility, it is not almoſt to be believed how impoſſible it were to put any Stay to our Miſeries: For a Civil War admits of none of thoſe Conditions of Quarter, by which Cruelty and Blood are, amongſt other Enemies, kept from Extremities: Nay, if it ſhould but ſo happen, which God of his Goodneſs avert, that, mutually, Forces and Armies ſhould be raiſed, Jealouſies and Fears would be ſo much increaſed thereby, that any Accommodation would be rendered full of Difficulty and Length; and the very Charge of maintaining them (whilſt firſt a Ceſſation of Arms, and then a general Accommodation were in treating) would conſume the Wealth of the Kingdom. An. 18. Car. I. 1642. May.

'And of this we had lately a coſtly Example: For in thoſe unhappy Times, betwixt us and *Scotland*, after there was a Stop made to any further Acts of Hoſtility, and a Deſire of Peace expreſſed on both Sides; Commiſſioners nominated, and all the Articles propounded; yet the keeping of the Armies together for our ſeveral Securities, whilſt the Ceſſation at *Rippon* and the Peace at *London* were in treating, coſt this Kingdom not much leſs than a Million of Pounds. And if two Armies be once on Foot here in *England*, either a ſudden Encounter muſt deſtroy one of them, or the keeping of them both on foot muſt deſtroy the Kingdom.

'I hope, therefore, we ſhall make it our Endeavour, by Moderation and Calmneſs, yet to put a Stay to our ſo near approaching Miſeries; and that we ſhall hearken to the wiſe Advice of our Brethren of *Scotland*, in their late *Anſwer* to the King and Parliament; (*s*) wherein they earneſtly intreat us, 'That all

(*s*) In our Tenth Volume, p. 504.

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'all Means may be forborne which may make the 'Breach wider, and the Wound deeper; and that no 'Place be given to the evil Spirit of Diviſion, which 'at ſuch Times worketh inceſſantly, and reſteth not; 'but that the faireſt, the moſt Chriſtian, and com- 'pendious Way may be taken by ſo wiſe a King 'and Parliament, as may, againſt all Malice and 'Oppoſition, make his Majeſty and Poſterity more 'glorious, and his Kingdoms more happy than ever.' And, in another Place, they ſay, 'That ſince this 'Parliament hath thought meet to draw the Prac- 'tice of the Parliament of *Scotland* into Example, in 'the Point of their Declaration, they are confident 'that the Affection of this Parliament will lead them, 'alſo, to the Practice of that Kingdom in compo- 'ſing the unhappy Differences betwixt his Majeſty 'and them; and (ſo far as may conſiſt with their 'Religion, Liberties, and Laws) in giving his Maje- 'ſty all Satisfaction, eſpecially in their tender Care 'of his Royal Perſon, of his Princely Greatneſs and 'Authority, and the Proſperity of the Kingdom.

'Certainly, my Lords, this is wiſe and brotherly Advice, and I doubt not but we are all deſirous to follow it. We muſt not then ſtill dwell upon Generals, for Generals produce nothing; but we muſt put this Buſineſs into a certain Way, whereby Particulars may be deſcended unto; and the Way that I ſhall offer, with all Humility, is, That there may be a ſelect Committee of choice Perſons of both Houſes, who may, in the *firſt* Place, truly ſtate and ſet down all Things in Difference betwixt the King and the Subject, with the moſt probable Ways of reconciling them. *Secondly*, To deſcend unto the Particulars which may be expected by each from other, either in point of our ſupporting of him, or his relieving of us. And, *laſtly*, How all theſe Conditions, being agreed upon, may be ſo ſecured as may ſtand with the Honour of his Majeſty and the Satisfaction of the Subject.

'When ſuch a Committee ſhall have drawn up the Heads of the Propoſitions, and the Way of ſe- curing them, they may be preſented unto the Houſes; and

and ſo offered unto his Majeſty, by ſuch a Way as the Parliament ſhall judge moſt probable to produce an Accommodation. An. 18. Car. I. 1642. May.

'My Lords, what I have yet ſaid unto you, hath been chiefly grounded upon the Apprehenſions and Fears of our future Dangers. I ſhall ſay ſomething of the Unhappineſs of our preſent State, which certainly ſtandeth in as much Need of Relief and Remedy, as our Fears do of Prevention; for altho' the King and People were fully united, and that all Men who now draw ſeveral Ways, ſhould unanimouſly ſet their Hand to the Work, yet they would find it no eaſy Taſk to reſtore this Kingdom to a proſperous and comfortable Condition: If we take into our Conſideration the deplorable State of *Ireland*, likely to drain this Kingdom of Men and Treaſure; if we conſider the Debts and Neceſſity of the Crown, the Engagements of the Kingdom, and the great and unuſual Contributions of the People; which laſt, altho' they may not be ſo much to their Diſcontent, for that they have been legally raiſed, yet the Burden hath not been much eaſed. Let us likewiſe conſider the Diſtractions (I may almoſt call them Confuſions) in point of Religion; which, of all other Diſtempers, are the moſt dangerous and deſtructive to the Peace of a State.

'Beſides theſe public Calamities, let every particular Man conſider the diſtracted and uncomfortable State of his own Condition; for mine own Part, I muſt ingenuouſly profeſs unto your Lordſhips, That I cannot find out, under the different Commands of the King and the Parliament, any ſuch Courſe of Caution and Warineſs, by which I can promiſe to myſelf Security or Safety. I could give your Lordſhips many Inſtances of the Inconſiſtency and Impoſſibility of obeying theſe Commands; but I ſhall trouble you only with one or two.

'The *Ordinance* of Parliament, now in ſo great Agitation, commandeth all Perſons in Authority to put it in Execution, and all others to obey it according to the Fundamental Laws of the Land: The King declareth it to be contrary to the Fundamental

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mental Laws, againſt the Liberty of the Subject and Rights of Parliament; and commandeth all his Subjects, of what Degree ſoever, upon their Allegiance, not to obey the ſaid *Ordinance*, as they will anſwer the contrary at their Perils.

'So likewiſe, in point of the King's commanding the Attendance of divers of us upon his Perſon, whereunto we are obliged by ſeveral Relations of our Services and Oaths: In caſe we comply not with his Commands, we are liable to his Diſpleaſure, and the Loſs of thoſe Places of Honour and Truſt which we hold under him: If we obey his Commands without the Leave of the Parliament, which hath not been always granted, we are liable to the Cenſure of Parliament: And of both theſe we want not freſh Examples; ſo that, certainly, this cannot but be acknowledged to be an unhappy and uncomfortable Condition.

'I am ſure I bring with me a ready and obedient Heart, to pay unto the King all thoſe Duties of Loyalty, Allegiance, and Obedience which I owe unto him: And I ſhall never be wanting towards the Parliament, to pay unto it all thoſe due Rights and that Obedience which we all owe unto it; but, in contrary Commands, a Conformity of Obedience to both is hardly to be lighted on. The Reconciliation muſt be in the Commanders and the Commands, and not in the Obedience or the Perſon that is to obey: And therefore, untill it ſhall pleaſe God to bleſs us with a right Underſtanding betwixt the King and Parliament, and a Conformity in their Commands, neither the Kingdom in public, nor particular Men in private, can be reduced to a ſafe or comfortable Condition.

'I have ſaid thus much to give Occaſion to others to offer likewiſe their Opinions; for if we ſhall ſit ſtill, and nothing tending to the Stay of the unhappy Miſunderſtanding betwixt the King and his People, be propounded, it is to be feared that our Miſeries will haſten ſo faſt upon us, that the Seaſon and Opportunity of applying Remedies may be paſt.

'I

'I have herein diſcharged my Conſcience ſuitable to that Duty which I owe to the King my Sovereign and Maſter, and ſuitable to that Zeal and Affection which I ſhall ever pay to the Happineſs and Proſperity of the Kingdom; towards which I ſhall ever faithfully contribute my humble Prayers and honeſt Endeavours; and I ſhall no way doubt, whatſoever Succeſs this my Propoſition may have, it will be accompanied with the good Wiſhes of your Lordſhips, and of all peaceable and well-minded Men.' An. 18. Car. I. 1642. May.

But we find no Report, entered in the *Lords Journals*, from the before-mentioned Committee, notwithſtanding this moſt excellent Speech for an Accommodation: Which may eaſily be accounted for, ſince Matters were now too far advanced to hope for any between the King and Parliament: It being evident that both Sides, whilſt they entertained each other with *Meſſages* for Peace, which always abounded with Reflections that whetted their Appetite for War, provided for that Storm which they foreſaw could not be prevented. Accordingly,

May 24. The Commons ſent up an *Ordinance*, to which they deſired the Lords Concurrence, for giving Power to their Committee at *York* to command the Lord Mayor and Sheriffs of that City and all Sorts of Head Conſtables and Petty Conſtables under them, to take all *Orders*, *Votes*, and *Declarations* of Parliament from the Committee, and ſee them circulated thro' their ſeveral Diſtricts. Likewiſe, That the ſaid Lord Mayor, *&c.* ſhould publiſh in all Market Towns, That the Train'd Bands ought not to riſe, or be called together, by any perſonal Command of the King; but that, as Affairs then ſtood, ſuch Commands were againſt Law, tending to the great Diſturbance and Danger of the Kingdom. Declaring an Amneſty to ſuch as ſhould not obey, and Puniſhment to thoſe that did, *&c.* Which *Ordinance* was agreed to by the Lords. Order of both Houſes for diſperſing their Votes, &c. And againſt the King's raiſing the Train'd Bands.

At

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At the ſame Time Sir *William Strickland*, Mr. *Alured*, Mr. *Wharton*, Sir *William Airmyn*, Mr. *John Hotham*, Mr. *Henry Darley*, and Mr. *Peregrine Pelham*, all Members of the Houſe of Commons, were appointed Commiſſioners to go down to *Hull*; to be Aſſiſtants to the Governor thereof, upon ſuch Orders and Directions as they ſhould receive from both Houſes. And Sir *Edward Ayſcough*, Sir *John Wray*, Sir *William Airmyn*, Mr. *Hatcher*, and Mr. *Broxholm*, were ſent into *Lincolnſhire*, to preſerve the Peace of that County.

The Commons appoint Commiſſioners to aſſiſt Sir John Hotham at Hull,

For ſeveral Days laſt paſt the Commons had been buſy in raiſing Money, and this Day a Committee of their Houſe was appointed, on their *Vote*, That the King, ſeduced by evil Counſel, did intend to levy War upon his Parliament, to conſider how a Stock of Money, or any other Means, may be provided for the better Defence of his Majeſty's Perſon, the Parliament, and the Public Peace of the Kingdom, againſt any ſuch Force.—This extraordinary Diligence of the Parliament ſeems to have been owing to the frequent Deſertions from that Body. For,

And conſider of Ways to raiſe Money.

Lord *Clarendon* informs us, That the Number of Members of both Houſes, that reſorted to the King at *York* about this Time, increaſed daily; and particularly thoſe of the Lords: That his Majeſty call'd all the Peers to Council, communicating to them all ſuch *Declarations* as he thought fit to publiſh in *Anſwer* to thoſe of the Parliament; and all *Meſſages*, and whatever elſe was neceſſary to be done for the Improvement of his Condition: And, having now the Great Seal with him, iſſued ſuch *Proclamations* as were ſeaſonable for the Preſervation of the Peace: And firſt he publiſhed the following *Anſwer* to the Parliament's *Declaration* of the 19th of this Month.

The King's Anſwer to the Parliament's Declaration of the 19th of May.

'IF we could be weary of taking any Pains for the Satisfaction of our People, and to unde-
'ceive them of thoſe ſpecious miſchievous Infu-
'ſions, which are daily inſtilled into them, to ſhake
'and corrupt their Loyalty and Affection to us and
'our

'our Government; after ſo full and ample *De-* An. 18. Car. I.
'*claration* of ourſelf and our Intentions, and ſo fair 1642.
'and ſatisfactory *Anſwers* to all ſuch Matters as May.
'have been objected to us, by a major Part preſent
'of both Houſes of Parliament, we might well
'give over this Labour of our Pen; and ſit ſtill till
'it ſhall pleaſe God ſo to enlighten the Affections
'and Underſtandings of our good Subjects on our
'Behalf, (which we doubt not but that, in his good
'Time he will do) that they may ſee our Sufferings
'are their Sufferings: But ſince (inſtead of applying
's themſelves to the Method propoſed by us, *of ma-*
'*king ſuch ſolid particular* Propoſitions *as might eſta-*
'*bliſh a good Underſtanding between us, or of follow-*
'*ing the* Advice *of our Council of* Scotland, (with
'whom they communicate their Affairs) *in forbear-*
'*ing all Means that may make the Breach wider and*
'*Wound deeper)* they have choſen to purſue us with
'new Reproaches, or rather to continue and im-
'prove the old; by adding and varying little Circum-
'ſtances and Language, in Matters formerly urged
'by them, and fully anſwered by us, we prevailed
'with ourſelf, upon very mature and particular Con-
'ſideration of it, to anſwer the late *Printed Book*,
'intitled, *A* Declaration, *or* Remonſtrance, *of the*
'*Lords and Commons*, which was ordered, the 19th
'of this Inſtant *May*, to be printed and publiſhed,
'hoping then that they would not put us to any
'more of this Trouble; but that this would have
'been the laſt of ſuch a Nature, they would have
'communicated to our People; and that they
'would not, as they have done ſince, thought fit to aſ-
'ſault us with a *Newer Declaration*, *(t)* indeed of a
'very new Nature and Learning, which muſt have
's another *Anſwer*. And we doubt not but that our
'good Subjects, in a ſhort Time, will be ſo well in-
'ſtructed in the Differences and Miſtakings between
'us, that they will plainly diſcern, without reſign-
'ing

(t) The *Parliament's Declaration* of the 26th of *May* was printed and publiſhed before the *King's Anſwer* came out to that of the 19th: But we chuſe to bring in his *Majeſty's Anſwer* to their *Firſt Declaration* before we meddle with their *Second*, as giving a cloſer View of the Controverſy.

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'ing their Reaſon and Underſtanding to our Pre-
'rogative, or the Infallibility of a now major Part
'of both Houſes of Parliament infected by a few
'malignant Spirits, where the Fault is.

'Though we ſhall, with Humility and Alacrity,
'be always forward to acknowledge the infinite
'Mercy and Providence of Almighty God, vouch-
'ſafed ſo many ſeveral Ways to ourſelf and this
'Nation; yet ſince God himſelf doth not allow
'that we ſhould fancy and create Dangers to our-
'ſelf, that we might manifeſt and publiſh his Mercy
'in our Deliverance, we muſt profeſs we do not
'know thoſe *Deliverances*, mentioned in the Be-
'ginning of that *Declaration*, *From ſo many wicked*
'*Plots and Deſigns, ſince the Beginning of this Par-*
'*liament*; *which, if they had taken Effect, would*
'*have brought Ruin and Deſtruction upon this King-*
'*dom*. We well know the great Labour and Skill
'that hath been uſed, to amaze and affright our good
'Subjects with Fears and Apprehenſions of Plots
'and Conſpiracies; the ſeveral Pamphlets publiſhed,
'and Letters ſcattered up and down, full of ſuch
'ridiculous contemptible Animadverſions to that
'Purpoſe; as though they found, for what End
'God knows, very unuſual Countenance, no ſober
'Man would be moved with them: But we muſt
'confeſs, we have never been able to inform ourſelf
'of any ſuch *Pernicious formed Deſign againſt the*
'*Peace of this Kingdom, ſince the Beginning of this*
'*Parliament*, as is mention'd in that *Declaration*, or
'that might be any Warrant to thoſe great Fears both
'our Houſes of Parliament ſeemed to be tranſported
'with; but we have great Cauſe to believe more
'Miſchief and Danger hath been raiſed and begotten
'to the Diſturbance of this Kingdom, than cured
'or prevented by thoſe Fears and Jealouſies: And
'therefore, however the Rumour and Diſcourſe of
'Plots and Conſpiracies may have been neceſſary to
'the Deſigns of particular Men, they ſhall do well
'not to pay any falſe Devotions to Almighty God,
'who diſcerns whether our Dangers are real or
'pretended.

'For

'For the *bringing up the Army to* London; as 'we have heretofore, by no other Direction than the 'Teſtimony of a good Conſcience, called God to 'witneſs, *We never had, or knew of any ſuch Reſo-* 'lution; ſo, upon the View of the *Depoſitions* now 'publiſhed with that *Declaration*, it is not evident 'to us there was ever ſuch a Deſign, unleſs every 'looſe Diſcourſe or Argument be Inſtance enough 'of ſuch a Deſign; and it is apparent, that what 'was ſaid of it, was near three Months before the 'Diſcovery to both Houſes of Parliament; ſo that if 'there were any Danger threatened that way, it va- 'niſhed, without any Reſiſtance or Prevention by 'the Wiſdom, Power, or Authority of them. An. 18. Car. I. 1642. May.

'It ſeems the Intention of that *Declaration*, 'whatſoever other End it hath, is to *anſwer* a *De-* 'claration they received from us, in *Anſwer* to that 'which was preſented to us at *New-Market* the 'ninth of *March* laſt, and likewiſe to our *Anſwer* 'to the *Petition* of both Houſes, preſented to us at '*York* the 26th of *March* laſt. But before that 'Declaration falls upon any Particulars of our ſaid 'Declaration or *Anſwer*, it complains, *That the* 'Heads of the Malignant Party have, with much 'Art and Induſtry, adviſed us to ſuffer divers unjuſt 'Scandals and Imputations upon the Parliament, to 'be publiſhed in our Name, whereby they might make 'it odious to the People, and, by their Help, deſtroy 'it:* But not inſtancing in any one Scandal or Im- 'putation ſo publiſhed by us, we are ſtill to ſeek 'for the Heads of that Malignant Party. But our 'good Subjects will eaſily underſtand, That if we 'were guilty of that Aſperſion, we muſt not only 'be active in raiſing the Scandal, but paſſive in the 'Miſchief begotten by that Scandal, we being an 'Eſſential Part of the Parliament: And we hope the 'juſt Defence of ourſelf and our Authority, and 'the neceſſary Vindication of our Innocence and 'Juſtice, from the Imputation laid on us by a ma- 'jor Part, then preſent of either, or both Houſes, 'ſhall no more be called a *Scandal upon the Parlia-* 'ment, than the Opinion of ſuch a Part be reputed

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'*an Act of Parliament.* And we hope our good 'Subjects will not be long miſled by that common 'Expreſſion in all the *Declarations*, wherein they 'uſurp the Word *Parliament*, and apply it to coun-'tenance any *Reſolution* or *Vote* which ſome few 'have a mind to make, by calling it, *The Reſolu-'tion of Parliament*; which can never be without 'our Conſent: Neither can the *Vote* of either, or 'both Houſes, make a greater Alteration in the Laws 'of this Kingdom, ſo ſolemnly made by the Advice 'of their Predeceſſors with the Concurrence of us 'and our Anceſtors, either by commanding or in-'hibiting any thing, beſides the known Rule of the 'Law, than our ſingle Direction or Mandate can 'do, to which we do not aſcribe ſuch Authority.

'But that *Declaration* informs our People, *That 'the Malignant Party hath drawn us into the* Northern '*Parts far from our Parliament.* It might more 'truely and properly have ſaid, That it hath *driven*, 'than *drawn*, us hither. For we confeſs our 'Journey hither, (for which we have no other 'Reaſon to be ſorry, than with Reference to the 'Cauſe of it) was only forced upon us by the true 'Malignant Party, which contrived and counte-'nanced thoſe barbarous Tumults and other ſeditious 'Circumſtances, of which we have ſo often com-'plained, and hereafter ſhall ſay more; and which 'indeed threatens ſo much Danger to our Perſon, 'and laid ſo much Scandal upon the whole *Privi-'lege* and *Dignity* of *Parliament*, that we wonder 'it can be mentioned without Bluſhes or Indignati-'on: But of that anon. But why the Malignant 'Party ſhould be charged with cauſing a Preſs to be 'tranſported to *York*, we cannot imagine; neither 'have any Papers or Writings iſſued from thence, to 'our Knowledge, but what have been extorted 'from us by ſuch Provocations, as have not been 'before offered to a King. And no doubt it will ap-'pear a moſt trivial and fond Exception, when 'all Preſſes are open to vent whatſoever they think 'fit to ſay to the People, (a Thing unwarranted by 'former Cuſtom) that we ſhould not make Uſe of

'all

'all lawful Means to publiſh our juſt and neceſſary *Anſwers* thereunto. As for the Authority of the Great Seal, though we do not know that it hath been neceſſary to Things of this Nature, the ſame ſhall be more frequently uſed hereafter, as Occaſion ſhall require; to which we make no Doubt the greater and better Part of our Privy Council will concur, and whoſe Advice we are reſolved to follow, as far as ſhall be agreeable to the Good and Welfare of the Kingdom. An. 18. Car. I. 1642. May.

'Before that *Declaration* vouchſafes to inſiſt on any Particulars, it is pleaſed to cenſure both our *Declaration* and *Anſwer*, to be *filled with harſh Cenſures, and cauſeleſs Charges upon the Parliament*, (ſtill miſapplying the Word *Parliament* to the *Vote* of both Houſes) *concerning which they reſolve to give Satisfaction to the* Kingdom, *ſince they find it very difficult to ſatisfy us.* If, as in the Uſage of the Word *Parliament*, they have left us out of their Thoughts; ſo, by the Word *Kingdom*, they intend to exclude all our People who are out of their Walls, (for that's grown another Phraſe of the Times, the *Vote* of the major Part of both Houſes, and ſometimes of one, is now called, *The Reſolution of the whole Kingdom*) we believe it may not be hard to give Satisfaction to themſelves; otherwiſe we are confident (and our Confidence proceeds from the Uprightneſs of our own Conſcience) they will never be able ſo to ſever the Affections of us and our Kingdom, that what cannot be Satisfaction to the one, ſhall be to the other. Neither will the Style of *Humble* and *Faithful*, and telling us, *That they will make us a Great and Glorious King*, in their *Petitions* and *Remonſtrances*, ſo deceive our good Subjects, that they will paſs over the Reproaches, Threats, and Menaces they are ſtuffed with; which ſure could not be more gently reprehended by us, than by ſaying, *Their Expreſſions were different from the uſual Language to Princes*; which that *Declaration* tells you, *we had no Occaſion to ſay.* But we be-

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'lieve, whoſoever looks over that *Declaration* pre-
'ſented to us at *Newmarket*, to which ours was an
'*Anſwer*, will find the Language throughout it
'to be ſo unuſual, that, before this Parliament, it
'could never be parallel'd; whilſt, under Pretence
'of juſtifying their Fears, they give ſo much Coun-
'tenance to the Diſcourſe of the Rebels of *Ireland*,
'as if they had a Mind our good Subjects ſhould
'give Credit to it: Otherwiſe, being warranted by
'the ſame Evidence, which they have ſince pub-
'liſhed, they would have as well declared, *That*
'*thoſe Rebels publickly threaten the rooting out the*
'*Name of the* Engliſh, *and that they will have a King*
'*of their own, and no longer be governed by us*; as
'that they ſay, *That they do nothing but by our Au-*
'*thority, and that they call themſelves*, The Queen's
'Army. And therefore we have great Reaſon to
'complain of the Abſence of Juſtice and Integrity
'in that *Declaration*, beſides the Unfitneſs of other
'Expreſſions.

'Neither did we miſtake the Subſtance or Logic
'of the *Meſſage* to us at *Theobalds*, concerning the
'*Militia*; which was no other, and is ſtated to be
'no other (even by that *Declaration* which reproved
'us) than a plain Threat, *That if we refuſed to join*
'*with them, they would make a Law without us:*
'Nor hath the Practice ſince that Time been other,
'which will never be juſtified to the moſt ordinary
'(if not partial) Underſtandings, by the meer A-
'verring it to be *according to the Fundamental Laws*
'*of this Kingdom*, without giving any Direction,
'that the moſt cunning and learned Men in the
'Laws may be able to find thoſe Foundations. And
'we muſt appeal to all the World, whether they
'might not, with as muſt Juſtice, and by as much
'Law, have ſeized upon the Eſtate of every Mem-
'ber of both Houſes, who diſſented from that pre-
'tended *Ordinance*, (which much the major Part
'of the Houſe of Peers did two or three ſeveral
'Times) as they have invaded that Power of ours
'over the *Militia*, becauſe we (upon Reaſons they

'have

'have not ſo much as pretended to anſwer) refuſed An. 18. Car. I. 1642. May.
'to conſent to that *Propoſition*.

'And if no better Effects, than *Loſs of Time and* 'Hindrance of public Affairs have been found by our 'Anſwers *and* Replies, let all good Men judge, by 'whoſe Default, and whoſe Want of Duty, ſuch 'Effects have been: For as our End (indeed only 'End) in thoſe *Anſwers* and *Replies*, hath been the 'Settlement and Compoſure of public Affairs, ſo 'we are aſſured, and moſt Men do believe, That 'if that due Regard and Reverence had been given 'to our Words, and that Conſent and Obedience 'to our Counſels, which we did expect, there had 'been, before this Time, a chearful Calm upon 'the Face of the whole Kingdom; every Man en-'joying his own, with all poſſible Peace and Secu-'rity that can be imagined; which ſurely thoſe 'Men do not deſire, who (after all thoſe Acts of 'Juſtice and Favour paſſed by us this Parliament, 'all thoſe Affronts and Sufferings endured and under-'gone by us) think fit ſtill to reproach us with *Ship-'Money*, *Coat* and *Conduct-Money*, and other Things 'ſo abundantly declared (as that *Declaration* itſelf 'confeſſes) in the *General Remonſtrance of the 'State of the Kingdom*, paſſed in *November* laſt; *(u)* 'which we wonder to find now avowed to be the '*Remonſtrance* of *both* Houſes; and which we aſ-'ſure was preſented to us by the Houſe of Commons 'only, and did never paſs, and we are confident 'at that Time could never have paſſed, the Houſe 'of Peers; the Concurrence and Authority of which 'was not then thought neceſſary. Shall we be-'lieve thoſe Reproaches to be the Voice of the 'Kingdom of *England*? That all our loving Sub-'jects, eaſed, refreſhed, ſtrengthened, and abundant-'ly ſatisfied with our Acts of Grace and Favour 'towards them, are willing to be involved in theſe 'unthankful Expreſſions? We muſt appeal to the 'Thanks and Acknowledgements publiſhed in the '*Petitions* of moſt of the Counties of *England*; to

(u) See this *Remonſtrance*, with the Debate thereon, in our Tenth Volume, p. 44, *et ſeq.*

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'the Teſtimony and Thanks we have received 'from both Houſes of Parliament, how ſeaſonable, 'how agreeable, this Uſage of us is to our Merit, 'or their former Expreſſions.

'We have not at all ſwerved or departed from 'our Reſolution, or Words, in the Beginning of 'this Parliament. We ſaid, *We were reſolved to put 'ourſelf, freely and clearly, upon the Love and Affec-'tion of our* Engliſh *Subjects*; and we ſay ſo ſtill, 'as far as concerns *England*. And we call Al-'mighty God to witneſs, that all our Complaints 'and Jealouſies, which have never been cauſeleſs, 'were not againſt our Houſes of Parliament, but 'ſome few ſchiſmatical, factious, and ambitious Spi-'rits; and upon Grounds, as ſhort Time, we fear, 'will juſtify to the World. Our Denial of the *Mi-'litia*, and our Abſenting ourſelf from *London*, have 'been the Effects of an upright and faithful Affec-'tion to our *Engliſh* Subjects, that we may be able '(through all the Inconveniences we are compelled 'to wreſtle with) at laſt to preſerve and reſtore their 'Religion, Laws, and Liberties unto them.

'Since the Proceedings againſt the Lord *Kymbol-'ton* and the five Members is ſtill look'd upon, and 'ſo often preſſed, as ſo great an Advantage againſt 'us, that no Retraction made by us, nor no Ac-'tions ſince that Time committed againſt us and 'the Law of the Land, under Pretence of Vindica-'tion of Privilege, can ſatisfy the Contrivers of 'that *Declaration*; but that they would have our 'good Subjects believe, the Accuſation of thoſe ſix 'Members muſt be a Plot for the breaking the Neck 'of the Parliament; (a ſtrange Arrogance, if any 'of thoſe Members had the Penning of that *Decla-'ration*) and that it is ſo often urged againſt us, as 'if, by that ſingle caſual Miſtake of ours, in Form 'only, we had forfeited all Duty, Credit, and Al-'legiance from our People; we muſt, without en-'deavouring to excuſe that, (which in Truth was 'an Error, our going to the Houſe of Commons) 'give our People a clear and full Narration of the 'Matter of Fact; aſſuring ourſelf that our good

'Sub-

'Subjects will not find our Carriage in that Buſineſs 'ſuch as hath been reported. An. 18. Car. I. 1642. May.

'When we reſolved upon ſuch Grounds, as, 'when they ſhall be publiſhed, will ſatisfy the 'World, That it was fit for our own Safety and 'Honour, and the Peace of the Kingdom, to pro-'ceed againſt thoſe Perſons, though we well know 'there was no Degree of Privilege in that Caſe; 'yet, to ſhew our Deſire of Correſpondence with 'the two Houſes of Parliament, we choſe, rather 'than to apprehend their Perſons by the ordinary 'Miniſters of Juſtice, (which, according to the O-'pinion and Practice of former Times, we might 'have done) to command our Attorney General to 'acquaint our Houſe of Peers with our Intention, 'and the general Matters of our Charge, (which 'was yet more particular than a meer Accuſation) 'and to proceed accordingly; and, at the ſame 'Time, ſent a ſworn Servant, a Serjeant at Arms, 'to our Houſe of Commons, to acquaint them, 'That we did accuſe, and intended to proſecute, 'the five Members of that Houſe, for High Trea-'ſon; and did require that their Perſons might be 'ſecured in Cuſtody: This we did, not only to ſhew 'that we intended not to violate or invade their 'Privileges, but to uſe more Ceremony towards 'them, than we then conceived, in Juſtice, might 'be required of us; and expected at leaſt ſuch an 'Anſwer as might inform us, if we were out of the 'Way; but we received none at all; only, in the 'Inſtant, without offering any thing of their Pri-'vileges to our Conſideration, an *Order* was made, 'and the ſame Night publiſhed in Print, *That if* 'any Perſon whatſoever ſhould offer to arreſt the Per-'ſon of any Member of that Houſe, without firſt ac-'quainting that Houſe therewith, and receiving fur-'ther Order from that Houſe, That it ſhould be 'lawful for ſuch Members, or any Perſon to reſiſt 'them, and to ſtand upon his or their Guard of De-'fence, and to make Reſiſtance, according to the Pro-'teſtation taken to defend the Privileges of Parlia-'ment:

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'*ment:* And this was the firſt Time that we heard
'the *Proteſtation* might be wreſted to ſuch a Senſe;
'or that, in any Caſe, tho' of the moſt undoubted
'and unqueſtionable Privilege, it might be lawful
'for any Perſon to reſiſt and uſe Violence againſt
'a public Miniſter of Juſtice, armed with lawful
'Authority; tho' we well knew, that even ſuch
'a Miniſter might be puniſhed for executing ſuch
'Authority. Upon viewing this *Order* we muſt
'confeſs we were ſomewhat amazed, having never
'ſeen or heard of the like, though we had known
'Members of either Houſe committed without ſo
'much Formality as we had uſed, and upon Crimes
'of a far inferior Nature to thoſe we had ſuggeſted;
'and having no Courſe propoſed to us for our Pro-
'ceeding, we were upon the Matter only told,
'*That againſt thoſe Perſons we were not to proceed at*
'*all*; *That they were above our Reach, or the Reach of*
'*the Law*, it was not then eaſy for us to reſolve what
'to do: If we employed our Miniſters of Juſtice
'in the uſual Way for their Apprehenſion, (who,
'without Doubt, would not have refuſed to exe-
'cute our lawful Commands) we ſaw what Reſiſt-
'ance and Oppoſition was like to be made, which,
'very probably, might have coſt ſome Blood; if we
'ſat ſtill and deſiſted upon this Terror, we ſhould, at
'the beſt, have confeſſed our own Want of Power,
'and the Weakneſs of the Law: In this Strait we
'put on a ſudden Reſolution, to try whether our
'own Preſence, and a clear Diſcovery of our Inte-
'tions (which haply might not have been ſo well
'underſtood) could remove thoſe Doubts, and pre-
'vent thoſe Inconveniences which ſeem'd to have
'been threatned; and, thereupon, we reſolved to go
'in our own Perſon to our Houſe of Commons,
'which we diſcovered not till the very Minute of our
'going, when we ſent out Orders, That our Servants,
'and ſuch Gentlemen as were then in our Court,
'ſhould attend us to *Weſtminſter*; but giving them
'expreſs Command (as we have aſſerted in our
'*Anſwer* to the *Ordinance*) That no Accidents or

'Pro-

'Provocation ſhould draw them to any ſuch Action 'as might imply a Purpoſe of Force in us; and our- 'ſelf (requiring thoſe of our Train not to come 'within the Door) went into the Houſe of Com- 'mons; the bare doing of which, we did not 'then conceive would have been thought more a 'Breach of Privilege, than if we had gone to the 'Houſe of Peers, and ſent for them to come to us, 'which is the uſual Cuſtom. We uſed the beſt Ex- 'preſſions we could to aſſure them how far we 'were from any Intention of violating their Privi- 'leges; that we intended to proceed legally and 'ſpeedily againſt the Perſons we had accuſed; and 'deſired, therefore, if they were in the Houſe, that 'they might be delivered to us, or, if abſent, that 'ſuch Courſe might be taken for their Forthcoming 'as might ſatisfy our juſt Demands; and ſo we 'departed, having no other Purpoſe of Force, if 'they had been in the Houſe, than we have before 'proteſted before God, in our *Anſwer* to the *Or- 'dinance*. You have an Account of our Part of 'this Story fully, let our People judge freely of it: 'What followed on their Part, (though this *De- 'claration* tells you, *It could not withdraw any Part 'of their Reverence and Obedience from us*; it may 'be any Part of theirs it did not) we ſhall have too 'much Cauſe hereafter to inform the World.

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'There will be no End of the Diſcourſe of Up- 'braiding us with evil Counſellors, if, upon our 'conſtant Denial of knowing any, they will not 'vouchſafe to inform us of them; and after eight 'Months amuſing the Kingdom with the Expecta- 'tion of a Diſcovery of a Malignant Party, and of 'evil Counſellors, they will not at laſt name any, 'nor deſcribe them: Let the Actions and Lives of 'Men be examined, who have contrived, coun- 'ſelled, actually conſented to grieve and burden our 'People; and if ſuch be about us, or any againſt 'whom any notorious malicious Crime can be pro- 'ved, if we ſhelter and protect any ſuch, let our 'Injuſtice be publiſhed to the World; but till that 'be done, particularly and manifeſtly, (for we ſhall

'never

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'never conclude any Man, upon a bare general *Vote* 'of the major Part, of either, or both Houſes, 'till it be evident that major Part be without Paſ- 'ſion or Affection) we muſt look upon the Charge 'this *Declaration* puts on us, *of Cheriſhing and* 'Countenancing a diſcontented Party of the Kingdom 'againſt them, as a heavier and unjuſter Tax upon 'our Juſtice and Honour, than any we have or can 'lay upon the Framers of that *Declaration*.

'And now, to countenance thoſe unhandſome 'Expreſſions, whereby uſually they have implied 'our Connivance at, or Want of Zeal againſt, the 'Rebellion of *Ireland*, ſo odious to all good Men, 'they have found a new Way of Exprobration; '*That the* Proclamation *againſt thoſe bloody Traitors* 'came not out till the Beginning of January, *though* 'that Rebellion broke out in October; *and then, by* 'ſpecial Command from us, but forty Copies were ap- 'pointed to be printed. 'Tis well known where 'we were at that Time, when that Rebellion broke 'forth, in *Scotland:* That we, immediately from 'thence, recommended the Care of that Buſineſs to 'both Houſes of Parliament here, after we had pro- 'vided for all fitting Supplies from our Kingdom 'of *Scotland:* That after our Return hither we ob- 'ſerved all thoſe Forms for that Service, which we 'were adviſed to by our Council of *Ireland*, or 'both Houſes of Parliament here: And if no *Pro-* 'clamation iſſued out ſooner, (of which for the 'preſent we are not certain; but think that others 'before that Time were iſſued by our Directions) 'it was, becauſe the Lords Juſtices of the King- 'dom deſired them no ſooner; and when they did, 'the Number they deſired was but twenty, which 'they adviſed might be ſigned by us; which we, 'for Expedition of the Service, commanded to be 'printed, a Circumſtance not required by them; 'thereupon we ſigned more of them than our Ju- 'ſtices deſired: All which was very well known 'to ſome Members of one or both Houſes of Par- 'liament, who have the more to anſwer for, if they 'ſorbore to expreſs it at the Paſſing of this *Declara-*

'*tion*;

'*tion*; and if they did expreſs it, we have the greater Reaſon to complain that ſo envious an Aſperſion ſhould be caſt on us to our People, when they knew well how to anſwer their own Objection. An. 18. Car. I. 1642. May.

'What that *Complaint is againſt the Parliament, put forth in our Name, which is ſuch an Evidence and Countenance to the Rebels, and ſpeaks the ſame Language of the Parliament, which the Rebels do,* we cannot underſtand. All our *Anſwers* and *Declarations* have been, and are, owned by us, and have been atteſted under our own Hand: If any other had been publiſhed in our Name, and without our Authority, it would be eaſy for both Houſes of Parliament to diſcover and apprehend the Authors: And we wiſh, that whoſoever was truſted with the Drawing and Penning of that *Declaration*, had no more Authority or Cunning to impoſe upon, or deceive, a major Part of thoſe *Votes* by which it paſſed, than any Man hath to prevail with us to publiſh, in our Name, any Thing but the Senſe and Reſolution of our own Heart; or that the Contriver of that *Declaration* could, with as good a Conſcience, call God to witneſs, That all his Counſels and Endeavours have been free from all private Aims, perſonal Reſpects, or Paſſions whatſoever, as we have done, and do, That we never had, or knew of, any Reſolution of bringing up the Army to *London*. And ſince this new Device is found out, inſtead of anſwering our Reaſons, or ſatisfying our juſt Demands, to blaſt our *Declarations* and *Anſwers*, as if they were not our own, a bold ſenſeleſs Imputation; we are ſure that every *Anſwer* and *Declaration* publiſhed by us, is much more our own, than any one of thoſe bold, threatning and reproachful *Petitions* and *Remonſtrances* are the Acts of either or both Houſes. And if the Penner of that *Declaration* had been careful of the Truſt repoſed in him, he would never have denied, (and thereupon found fault with our juſt

'Indig-

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'Indignation) in the Text or Margin, *That we had never been charged with the Intention of any Force, and that in their whole* Declaration *there is no Word tending to ſuch a Reproach*; the contrary whereof is ſo evident, that we are, in expreſs Terms, charged in that *Declaration*, *That we ſent them gracious* Meſſages, *when, without our Privity, the bringing up the Army was in Agitation.* And even in this *Declaration* they ſeek to make our People believe ſome ſuch Thing to be proved in the *Depoſitions* now publiſhed; wherein, we doubt not, they will as much fail, as they do in their Cenſure of that *Petition* ſhewed formerly to us by Captain *Legge*, and ſubſcribed by us with *C. R.* which, notwithſtanding our full and particular Narration of the Subſtance of that *Petition*, the Circumſtances of our ſeeing and approving it, this *Declaration* is pleaſed to ſay, *Was full of Scandal to the Parliament, and might have proved dangerous to the whole Kingdom.* If they have this dangerous *Petition* in their Hands, we have no Reaſon to believe any Tenderneſs to us-ward hath kept them from communicating it: If they have it not, we ought to have been believed. But that all good People may compute their other pretended Dangers by their clear Underſtanding of this, (the Noiſe whereof hath not been inferior to any of the reſt) we have recovered a true Copy of the very *Petition* we ſigned with *C. R.* which ſhall, in fit Time, be publiſhed; and which, we hope, will open the Eyes of our good People.

'Concerning our Warrant for Mr. *Jermin*'s Paſſage, our *Anſwer* was true and full; but for his black Sattin Suit, and white Boots, we can give no Account.

'We complained in our *Declaration*, and as often as we have Occaſion to mention our Return and Reſidence near *London*, we ſhall complain, of the barbarous and ſeditious Tumults at *Weſtminſter* and *Whitehall*; which indeed were ſo full of Scandal to our Government, and Danger to our Per-

'Perſon; that we ſhall never think of our Return thither, till we have Juſtice for what is paſt, and Security for the Time to come. And if there were ſo great a Neceſſity, or Deſire of our Return as is pretended, in all this Time; upon our ſo often preſſing Deſires, and upon Cauſes ſo notorious, we ſhould, at leaſt, have procured ſome Order for the future: But that *Declaration* tells us, *We are upon the Matter miſtaken; the Reſort of the Citizens to* Weſtminſter *was as lawful, as the Reſort of great Numbers, every Day in the Term, to the ordinary Courts of Juſtice.* They knew no Tumults. Strange! Was the diſorderly Appearance of ſo many thouſand People, with Staves and Swords, crying through the Streets, *Weſtminſter-Hall*, and the Paſſage between both Houſes, in ſo much as the Members could hardly paſs to and fro, *No Biſhops*, *Down with the Biſhops*, no Tumults? What Member is there of either Houſe that ſaw not thoſe Numbers, and heard not thoſe Cries? And yet lawful Aſſemblies! Were not ſeveral Members of either Houſe aſſaulted, threatned, and ill treated? And yet no Tumults! Why made the Houſe of Peers a *Declaration*, and ſent it down to the Houſe of Commons, for Suppreſſing of Tumults, if there were no Tumults? And, if there were any, why was not ſuch a *Declaration* conſented to and publiſhed? When the Attempts were ſo viſible, and the Threats ſo loud to pull down the Abbey at *Weſtminſter*, had not we juſt Cauſe to apprehend, That ſuch People might continue their Work to *Whitehall?* Yet no Tumults! What a ſtrange Time are we in, that a few impudent, malicious (to give them no worſe Term) Men ſhould caſt ſuch a ſtrange Miſt of Error before the Eyes of both Houſes of Parliament, as that they either cannot, or will not, ſee how manifeſtly they injure themſelves, by maintaining theſe viſible Untruths? We ſay no more. By the Help of God and the Law, we will have Juſtice for thoſe Tumults.

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'From

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'From excepting, (how weightily let every Man 'judge) to what we have ſaid, that *Declaration* pro-'ceeds to cenſure us for what we have not ſaid, for 'the *prudent Omiſſions* in our *Anſwer*: We forbore 'to ſay any Thing of the *Words ſpoken at* Ken-'ſington, *or the Articles againſt our deareſt Conſort,* 'and *of the Accuſation of the ſix Members.* Of the 'laſt we had ſpoken often, and we thought enough 'of the other two; having never accuſed any, tho', 'God knows, what Truth there might be in 'either, we had no Reaſon to give any particular 'Anſwer.

'We do not reckon ourſelf bereaved of any 'Part of our Prerogative, which we are pleaſed 'freely, for a Time, to part with by *Bill*; yet we 'muſt ſay, we expreſſed a great Truſt in our two 'Houſes of Parliament, when we diveſted ourſelf 'of the Power of Diſſolving this Parliament; which 'was a juſt, neceſſary, and proper Prerogative: 'But we are glad to hear their Reſolution, *That it 'ſhall not encourage them to do any Thing which, o-'therwiſe, had not been fit to have been done.* If it 'do, it will be ſuch a Breach of Truſt, as God will 'require an Account for at their Hands.

'For the *Militia*; we have ſaid ſo much of it 'heretofore, and the Point is ſo well underſtood 'by all Men, that we will waſte no more Time 'in that Diſpute. We never ſaid, *There was no 'ſuch Thing as an* Ordinance; (though we know 'that they have been long diſuſed) *but that there 'was never any* Ordinance, *or can be, without the 'King's Conſent*; and that is true: And the unne-'ceſſary Precedent, cited in the *Declaration*, doth not 'offer to prove the contrary. But enough of that. 'God and the Law muſt determine that Buſineſs.

'Neither hath this *Declaration* given us any Sa-'tisfaction concerning the *Votes* of the fifteenth and 'ſixteenth of *March* laſt; which we muſt declare 'and appeal to all the World, in this Point, to be 'the greateſt Violation of our Privilege, the Law of 'the Land, the Liberty of the Subject, and the Right

'of

'of the Parliament that can be imagined. One An. 18. Car. I. 1642.
'of thoſe *Votes* is, (and there needs no other to de-
'ſtroy the King and People) *That when the Lords*
'*and Commons* (it is well the Commons are admit- May.
'ted to their Part in Judicature) *ſhall declare what*
'*the Law of the Land is, the ſame muſt be aſſented*
'*to, and obeyed*; that is the Senſe in few Words.
'Where is every Man's Property, every Man's
'Liberty? If a major Part of both Houſes declare
'that the Law is, That the younger Brother ſhall
'inherit, what is become of all the Families and
'Eſtates in the Kingdom? If they declare, That,
'by the Fundamental Law of the Land, ſuch a
'raſh Action, ſuch an unadviſed Word, ought to
'be puniſhed by perpetual Impriſonment, is not the
'Liberty of the Subject, *durante Beneplacito*, re-
'medileſs? That *Declaration* confeſſeth, *They pre-*
'*tend not to a Power of making new Laws; that,*
'*without us, they cannot do that.* They need no
'ſuch Power, if their *Declaration* can ſuſpend this
'*Statute* from being obeyed or executed, and make
'this *Order*, which is no *Statute*, to be obeyed and
'executed: If they have Power to declare the Lord
'*Digby*'s waiting on us at *Hampton-Court*, and
'thence viſiting ſome Officers at *Kingſton*, with a
'Coach and ſix Horſes, to be levying of War,
'and High Treaſon; and Sir *John Hotham*'s defy-
'ing us to our Face, keeping our Town, Fort,
'and Goods againſt us by Force of Arms, to be an
'Act of Affection and Loyalty; what needs a
'Power of making new Laws? Or is there ſuch a
'Thing as Law left? We deſire our good Subjects
'to mark the Reaſon and Conſequence of theſe
'*Votes*; the Progreſs they have already made; and
'how infinite that Progreſs may be. Firſt, they
'*vote* the *Kingdom is in imminent Danger* (it is above
'three Months ſince they diſcerned it) *from Ene-*
'*mies abroad, and a* Popiſh *and diſcontented Party*
'*at home:* That is Matter of Fact. The Law
'follows: This *Vote* hath given them *Authority by*
'*Law (the Fundamental Laws of the Kingdom) to*
'*order and diſpoſe of the* Militia *of the Kingdom, and,*
'*with*

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'*with this Power, and to prevent that Danger, to* '*enter into our Towns, ſeize upon our Magazine,* '*and, by Force, keep both from us:* Is not this our Caſe? 'Firſt, they *vote*, *We have an Intention to levy War* '*againſt our Parliament*; That is Matter of Fact: 'Then they *declare*, *ſuch as ſhall aſſiſt us to be guilty* '*of High Treaſon*; that is the Law, and proved by 'two Statutes, themſelves know to be repealed: 'No matter for that, they *declare* it. Upon this 'Ground they exerciſe the *Militia*, and ſo actually 'do that upon us, which they have *voted* we intend to do upon them. Who doth not ſee the 'Confuſion that muſt follow upon ſuch a Power 'of *declaring*? If they ſhould now *vote*, That we 'did not write this *Declaration*, but that ſuch an 'one did it; which is ſtill Matter of Fact; and 'then *declare*, That, for ſo doing, he is an Enemy 'to the Common-Wealth; what is become of the 'Law that Man was born to? And if all their 'Zeal for the Defence of the Law, be but to defend that which they *declare* to be Law, their 'own *Votes*, it will not be in their Power to ſatisfy 'any Man of their good Intentions to the public 'Peace, but ſuch who is willing to relinquiſh his 'Title to *Magna Charta*, and hold his Life and 'and Fortune by a *Vote* of a major Part of both 'Houſes. In a Word; we deny not but they may 'have Power to *declare* in a particular doubtful 'Caſe, regularly brought before them, what Law 'is; but to make a general *Declaration*, whereby 'the known Rule of the Law may be croſſed or 'altered, they have no Power, nor can exerciſe 'any; without bringing the Life and Liberty of 'the Subject, to a lawleſs and arbitrary Subjection.

'We complained (and let the World judge the Juſtice and Neceſſity of that Complaint) of the Multitude of ſeditious Pamphlets and Sermons; and 'that *Declaration* tells us, *They know we have Ways* '*enough in our ordinary Courts of Juſtice to puniſh* '*theſe:* So we have to puniſh Tumults and Riots; 'and yet they will not ſerve our Turn to keep our 'Towns, our Foreſts, and Parks, from Violence.

'And

'And it may be, though thoſe Courts have ſtill the 'Power to puniſh, they may have loſt the Skill to 'define what Riots and Tumults are; otherwiſe a 'Jury in *Southwark*, legally impanelled to exa- 'mine a Riot there, would not have been ſuper- 'ceded, and the Sheriff enjoined not to proceed, by 'virtue of an *Order* of the Houſe of Commons; 'which it ſeems, at that Time, had the Sole Power 'of *declaring*. But it is no Wonder that they, who 'could not ſee the Tumults, do not conſider the 'Pamphlets and Sermons; tho' the Author of the '*Proteſtation proteſted* be well known to be *Burton*, 'that infamous Diſturber of the Peace of this 'Church and State; and that he preached it at '*Weſtminſter*, in the Hearing of divers Members 'of the Houſe of Commons: But of ſuch Pam- 'phlets and ſeditious Preachers (divers whereof have 'been recommended, if not impoſed upon ſeveral 'Pariſhes, by ſome Members of both Houſes, by 'what Authority we know not) we ſhall hereafter 'take a further Account. An. 18. Car. I. 1642. May.

'We confeſs we have little Skill in the Laws, 'and thoſe that have had moſt we now find are 'much to ſeek; yet we cannot underſtand or be- 'lieve, *That every ordinary Court, or any Court, 'hath Power to raiſe what Guard they pleaſe, and 'under what Command they pleaſe*; neither can we 'imagine what dangerous Effects they found by the 'Guard we appointed them; or, indeed, any the 'leaſt Occaſion why they needed a Guard at all.

'But of all the Imputations ſo cauſeleſly and un- 'juſtly laid upon us by that *Declaration*, we muſt 'wonder at that Charge, ſo apparently and evi- 'dently untrue, *That ſuch are continually preferred 'and countenanced by us, who are Friends or Favour- 'ers of, or related unto, the chief Authors or Actors 'of that Arbitrary Power heretofore practiſed and 'complained of: And, on the other Side, That ſuch 'as did appear againſt it, are daily diſcountenanced 'and diſgraced.* We would know one Perſon that 'contributed to the Ills of thoſe Times, or had 'Dependance upon thoſe that did, whom we do,

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'or lately have countenanced or preferred. Nay, 'we are confident, (and we look for no other at 'their Hands) as they have been always moſt emi-'nent Aſſertors of the Public Liberties, ſo, if they 'found us inclined to any thing not agreeable to 'Honour and Juſtice, they would leave us To-'morrow: Whether different Perſons have not 'and do not receive Countenance elſewhere, and 'upon what Grounds, let all Men judge; and 'whether we have not been forward enough to 'honour and prefer thoſe of the moſt contrary Opi-'nion, how little Comfort ſoever we have had of 'thoſe Preferments; in beſtowing of which, here-'after, we ſhall be more guided by Men's Actions 'than Opinions; and therefore we had good Cauſe 'to beſtow that Admonition (for we aſſure you it 'was an Admonition of our own) upon both our 'Houſes of Parliament, *To take Heed of inclining, 'under the ſpecious Shews of Neceſſity and Danger, 'to the Exerciſe of ſuch an Arbitrary Power they be-'fore complained of.* The Advice will do no Harm; 'and we ſhall be glad to ſee it followed.

'And are all the ſpecious Promiſes, and loud Pro-'feſſions, *Of making us a great and glorious King; 'of ſettling a greater Revenue upon us than any of 'our Anceſtors have enjoyed; of making us to be ho-'noured at home, and feared abroad,* reſolved into 'this, *That they will be ready to ſettle our Revenue 'in an honourable Proportion, when we ſhall put our-'ſelf in ſuch a Poſture of Government, that our Sub-'jects may be ſecure to enjoy our juſt Protection for 'their Religion, Laws, and Liberties?* What Po-'ſture of Government they intend we know not; 'nor can we imagine what Security our good Sub-'jects can deſire for their Religion, Laws, and Li-'berties, which we have not offered, or fully given. 'And is it ſuitable to the Duty and Dignity of both 'Houſes of Parliament, to anſwer our particular 'weighty Expreſſions of the Cauſes of our Remove 'from *London* (ſo generally known to the King-'dom) with a Scoff, *That they hope we were 'driven from thence, not by our own Fears, but by*

the

'*the Fears of the Lord* Digby *and his Retinue of* An. 18. Car. I.
'*Cavaliers?* Sure the Penner of that *Declaration* 1642.
'inſerted that ungrave and inſolent Expreſſion (as May.
'he hath done divers others) without the Conſent
'or Examination of both Houſes, who would not
'ſo lightly have departed from their former Profeſ-
'ſions of Duty to us.

'Whether the Way to a good Underſtanding be-
'tween us and our People hath been as zealouſly
'preſſed by them, as it hath been profeſſed and de-
'ſired by us, will be eaſily diſcerned by thoſe who
'obſerve, that we have left no public Act undone
'on our Part, which, in the leaſt Degree, might
'be neceſſary to the Peace, Plenty, and Security of
'our Subjects; and that they have not diſpatched
'one Act which hath given the leaſt Evidence of
'their particular Affection and Kindneſs to us;
'but, on the contrary, have diſcountenanced and
'hindered the Teſtimony other Men would have
'given us of their Affections: Witneſs the ſtop-
'ping and keeping back the Bill of *Subſidies*, grant-
'ed by the Clergy, almoſt a Year ſince; which,
'tho' our perſonal Wants are ſo notoriouſly known,
'they will not, to this Time, paſs: So not only for-
'bearing to ſupply us themſelves, but keeping the
'Love and Bounty of other Men from us; and af-
'ford no other *Anſwers* to all our Deſires, all our
'Reaſons, (indeed not to be anſwered) than, *That*
'*we muſt not make our Underſtanding or Reaſon the*
'*Rule of our Government; but ſuffer ourſelf to be*
'*aſſiſted* (which we never denied) *by our Great*
'*Council.* We require no other Liberty to our
'Will, than the meaneſt of them do, (we wiſh
'they would always uſe that Liberty) not to con-
'ſent to any thing evidently contrary to our Con-
'ſcience and Underſtanding; and we have, and
'ſhall always give, as much Eſtimation and Re-
'gard to the Advice and Counſel of both our Houſes
'of Parliament, as ever Prince hath done: But we
'ſhall never (and we hope our People will never)
'account the Contrivance of a few factious ſedi-
'tious Perſons, (a Malignant Party, who would ſa-

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'crifice the Common-Wealth to their own Fury 'and Ambition) the Wiſdom of Parliament; and 'that the Juſtifying and Defending ſuch Perſons '(of whom, and of their particular ſiniſter Ways to 'compaſs their own bad Ends, we ſhall ſhortly in-'form the World) is not the Way to preſerve Par-'liaments; but is the Oppoſing and Preferring the 'Conſideration of a few unworthy Perſons, before 'their Duty to their King, or their Care of the 'Kingdom. They would have us remember, '*That our Reſolutions do concern Kingdoms*; *and* '*therefore not to be moulded by our own Underſtand-*'*ings*. We well remember it; but we would have 'them remember, That when their Conſultations 'endeavour to leſſen the Office and Dignity of a 'King, they meddle with that which is not within 'their Determination; and of which we muſt give 'an Account to God and our other Kingdoms, and 'muſt maintain with the Sacrifice of our Life.

'*Laſtly*, That *Declaration* tells you of a *preſent* '*deſperate and malicious Plot the Malignant Party* '*is now acting, under the plauſible Notions of ſtir-*'*ring Men up to a Care of preſerving the King's* '*Prerogative*; *maintaining the Diſcipline of the* '*Church*; *upholding and continuing the Reverence* '*and Solemnity of God's Service*; *and encouraging* '*Learning*; (indeed plauſible and honourable No-'tions to act any thing upon) *and that upon theſe* '*Grounds divers* mutinous Petitions *have been fram'd* '*in* London, Kent, *and other Places*. Upon what 'Grounds would theſe Men have *Petitions* framed? 'Have ſo many *Petitions* (even againſt the Form 'and Conſtitution of the Kingdom, and the Laws 'eſtabliſhed) been joyfully received and accepted? 'And ſhall *Petitions* framed upon theſe Grounds 'be called *Mutinous?* Hath a Multitude of mean, 'unknown, inconſiderable, contemptible Perſons 'about the City and Suburbs of *London*, had Liberty 'to *petition* againſt the Government of the Church; 'againſt the Book of Common Prayer; againſt the 'Freedom and Privilege of Parliament; and been 'thanked for it: And ſhall it be called *Mutiny* in

'the

'the graveſt and beſt Citizens of *London*, or in the 'Gentry and Commonalty of *Kent*, to frame *Pe-* 'titions upon theſe Grounds; and to deſire to be 'governed by the known Laws of the Land, not 'by *Orders* and *Votes* of either, or both Houſes? 'Can this be thought the Wiſdom and Juſtice of 'both Houſes of Parliament? Is it not evidently 'the Work of a Faction within, or without, both 'Houſes, who deceive the Truſt repoſed in them; 'and have now told us what *Mutiny* is, That to ſtir 'Men up to a Care of preſerving our Prerogative; 'maintaining the Diſcipline of the Church; upholding and continuing the Reverence and Solemnity of 'God's Service; and encouraging of Learning, is '*Mutiny!* Let Heaven and Earth, God and Man, 'judge between us and theſe Men. And however 'ſuch *Petitions* are there called *mutinous*, and the 'Petitioners threatened, diſcountenanced, cenſured, 'and impriſoned; if they bring ſuch lawful *Petitions* to us, we will graciouſly receive them; and 'defend them and their Rights againſt what Power 'ſoever, with the uttermoſt Hazard of our Being.

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'We have been the longer (to our very great 'Pain) in this *Anſwer*, that we might give the 'World Satisfaction, even in the moſt trivial Particulars which have been objected againſt us; and 'that we may not be again reproached with any 'more *prudent Omiſſions*. If we have been compelled to ſharper Language than we affect, let it 'be conſidered, how vile, how inſufferable our Provocations have been; and except to repel Force 'be to aſſault, and to give punctual and neceſſary '*Anſwers* to rough and inſolent Demands be to 'make Invectives, we are confident the World will 'accuſe us of too much Mildneſs; and all our good 'Subjects will think, we are not well dealt with; 'and will judge of us, and of their own Happineſs 'and Security in us, by our Actions; which we 'deſire may no longer proſper, or have a Bleſſing 'from God upon them and us, than they ſhall be 'directed to the Glory of God, in the Maintenance 'of the true *Proteſtant* Profeſſion; to the Preſerva-

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'tion of the Property and Liberty of the Subject, 'in the Obſervation of the Laws; and to the 'Maintenance of the Rights and Freedom of Par- 'liament, in the Allowance and Protection of all 'their juſt Privileges.'

May 25. Another Letter from the Lord *Howard*, at *York*, directed to the Lord Keeper, was received, and read as follows:

A Fifth Letter from the Committee at York.

My Lord,

IN Obedience to the Command of the Houſe, we waited Yeſterday on his Majeſty, and preſented him with the Petition *and* Votes *of both Houſes (x). He was pleaſed to tell us,* That he would not give us a preſent Anſwer, but that we ſhould have one ſhortly. *We do not, as yet, hear of any Reſolution to lay down theſe Guards; the Foot are ſtill in the ſame Number they were; the Horſe, as we hear, do increaſe; ſo, likewiſe, do Men's Fears and Apprehenſions. The Prince is made Captain of theſe Horſe, a Brother of Sir* John Byron's *Lieutenant, and one of Sir* Ingleby Daniel's *Sons, a Gentleman of this Country, is made Cornet. His Majeſty had ſummoned the Freeholders, Copyholders, and ſubſtantial Farmers, of this County, to be here, at* York, *on* Friday *next; but, this Afternoon, we hear there is a Warrant, from the King, to the High Sheriff, to defer that Meeting till* Friday *come Se'ennight. My Lord, this is all I have to acquaint you at this Time, and that I am*

Your Lordſhip's humble Servant,

York, May 23, 1642.

ED. HOWARD.

An Order of the Houſe of Lords, for ſummoning their abſent Members.

The ſame Day the Lords took Notice of ſeveral of their Houſe being abſent on the King's Letters to attend him at *York*; and judging it contrary to the Privileges of that Houſe, reſolved to conſider what Courſe was fit to be taken with theſe Deſerters. Hereupon it was *ordered*, That the Lords gone to *York*, or other Places, contrary to a former *Order* of

(x) The Petition and Votes, here referred to, begin this Volume.

of this Houſe, ſhall be ſent for, and taken into Cuſtody, to anſwer their Contempt done to this Houſe; and, in caſe they refuſe to come, then the Houſe would give Judgment againſt them for the ſame. The Lords *North* and *Broke* were appointed to put down the Names of ſuch Peers as were abſent without Leave, *&c.* This was done accordingly, and preſented to the Houſe under the following DISTINCTIONS: An. 18. Car. I. 1642. May.

LORDS *that have* abſented *themſelves from the* PARLIAMENT, *and are now with his* MAJESTY *at* York.

The Lord-Keeper	Earl of *Newport*
Duke of *Richmond*	Earl of *Thanet*
Marquis of *Hertford*	Earl of *Huntingdon*
Earl of *Cumberland*	Lord *Spencer*
Earl of *Bath*	Lord *Strange*
Earl of *Southampton*	Lord *Willoughby* of *Eresby*
Earl of *Dorſet*	Lord *Rich*
Earl of *Saliſbury*	Lord *Andover*
Earl of *Northampton*	Lord *Fauconberge*
Earl of *Carliſle*	Lord *Lovelace*
Earl of *Clare*	Lord *Paulet*
Earl of *Weſtmoreland*	Lord *Coventry*
Earl of *Lindſey*	Lord *Saville*
Earl of *Newcaſtle*	Lord *Dunſmore*
Earl of *Dover*	Lord *Seymour*
Earl of *Caernarvon*	Lord *Herbert* of *Cherbury*

LORDS *that have* not abſented *themſelves from the Buſineſs of the Houſe.*

Earl of *Northumberland*	Earl of *Bolingbroke*
Earl of *Bedford*	Earl of *Peterborough*
Earl of *Pembroke* and *Montgomery*	Earl of *Stamford*
	Earl of *Mancheſter*
Earl of *Eſſex*	Earl of *Portland*
Earl of *Lincoln*	Earl of *Cleveland*
Earl of *Suffolk*	Earl of *Briſtol*
Earl of *Leiceſter*	Earl of *Monmouth*
Earl of *Warwick*	Earl of *Devonſhire*
Earl of *Holland*	Viſcount *Say* and *Sele*

Lord

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Lord *Dacres*
Lord *Haſtings*
Lord *Cromwell*
Lord *Wentworth*
Lord *Paget*
Lord *North*
Lord *Chandois*
Lord *Willoughby* of *Parham*
Lord *Wharton*
Lord *Hunſdon*
Lord *Pierepoint* (Viſcount *Newark*)
Lord *St. John*
Lord *Stanhope*
Lord *Grey de Ruthyn*
Lord *Roberts*
Lord *Kimbolton*
Lord *Howard* of *Eſkricke*
Lord *Brooke*
Lord *Fielding*
Lord *Mowbray*
Lord *Grey de Werk*
Lord *Howard de Charlton*
Lord *Capel*

LORDS *not commonly coming to Parliament, being either Minors, or diſabled by Old Age, or for other Reaſons and Infirmities.*

Duke of *Buckingham*
Earl of *Derby*
Earl of *Danby*
Earl of *Mulgrave*
Earl of *Rutland*
Earl of *Bridgewater*
Earl of *Kent*
Earl of *Oxford*
Earl of *Suſſex*
Earl of *Exeter*
Earl of *Nottingham*
Lord *Harvey*
Lord *Powis*

The reſt of the Peers are not *particularly* diſtinguiſhed, but only, *in general*, ſaid to be either abroad in foreign Parts, Abſent with Leave, or Recuſants. The Lords *North* and *Brooke*, who, as before obſerved, were appointed to take this Account, told the Houſe, 'That they conceived the Latter to have no Right to Vote in Parliament, during their Recuſancy.

May 26. Another long *Remonſtrance*, or *Declaration*, having been framed by the Commons, and ſent up to the Lords, it was this Day read in that Houſe, and agreed to: The Earls of *Briſtol*, *Monmouth*, and *Devonſhire*, with the Lords *Mowbray*, *Grey de Ruthyn*, *Howard de Charlton*, *Pierepoint* and *Capel*, diſſenting,

Or-

Ordered, That this *Declaration* be forthwith printed and publiſhed, as follows: *(y)* An. 18. Car. I. 1642.

'ALthough the great Affairs of this Kingdom, and the miſerable and bleeding Condition of the Kingdom of *Ireland*, affords us little Leiſure to ſpend our Time in *Declarations*, or in *Anſwers* and *Replies*; yet the Malignant Party about his Majeſty, taking all Occaſions to multiply Calumnies upon the Houſes of *Parliament*, and to publiſh ſharp Invectives under *his Majeſty's Name* againſt them and their Proceedings; (a new Engine which they have invented to heighten the Diſtractions of this Kingdom, and to beget and increaſe Diſtruſt and Diſaffection between the *King*, his *Parliament*, and the *People*) we cannot be ſo much wanting to our own Innocency, or to the Duty of our Truſt, as not to clear ourſelves from thoſe falſe Aſperſions; and (which is our chiefeſt Care) to diſabuſe the People's Minds, and open their Eyes, that under the falſe Shews and Pretexts of the Law of the Land, and of their own Rights and Liberties, they may not be carried into the Road-Way that leads to the utter Ruin and Subverſion thereof.

A Remonſtrance of both Houſes, May 26. in Anſwer to the King's Declaration concerning Hull, &c.

'A late Occaſion that theſe wicked Spirits of Diviſion have taken to defame, and indeed to arraign, the Proceedings of both Houſes of *Parliament*, hath been from our *Votes* of the 26th of *April*, and our *Declaration* concerning the Buſineſs of *Hull*; which becauſe we put forth before we could ſend our *Anſwer* concerning that Matter unto his Majeſty, thoſe miſchievous Inſtruments of Diſſention, between the *King*, the *Parliament*, and the *People*, whoſe chief Labour and Study is

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(y) From the Original Edition, printed for *John Frank*, 1642. The *Declarations* and other Proceedings of Parliament having been printed, very frequently about this Time, in an incorrect Manner by unlicenſed Printers, we find, in the *Title* of this *Declaration*, the following remarkable *Certificate*.

According to an Order, *made in the Houſe of* Commons *on* Saturday *laſt, I have examined this* Copy *with the* Original, *and have mended it.* H. Elſing, *Cler. Parl. D. Com.*

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'to miſrepreſent our Actions to his Majeſty and to 'the Kingdom, would needs interpret this as an '*Appeal* to the *People*, and a Declining of all In-'tercourſe between his Majeſty and us, as if we 'thought it to no Purpoſe to endeavour any more 'to give him Satisfaction; and, without expecting 'any longer our *Anſwer*, they themſelves have, 'under the Name of a *Meſſage* from his Majeſty to 'both Houſes of Parliament, indeed made an *Ap-'peal* to the *People*; as the *Meſſage* itſelf doth in a 'Manner grant it to be, offering to join Iſſue with 'us in that Way; and, in the Nature thereof, doth 'clearly ſhew itſelf to be none other: Therefore 'we ſhall likewiſe addreſs our *Anſwer* to the *King-'dom*, not by Way of *Appeal*, as we are charged; 'but to prevent them from being their own Exe-'cutioners; and from being perſuaded, under 'falſe Colours of defending the Law and their own 'Liberties, to deſtroy both with their own Hands; 'by taking their Lives, Liberties, and Eſtates out 'of thoſe Hands whom they have choſen and in-'truſted therewith; and reſigning them up unto 'ſome evil Counſellors about his Majeſty, who 'can lay no other Foundation of their own Great-'neſs, but upon the Ruin of this, and, in it, of all 'Parliaments, and, in them, of the true Religion 'and the Freedom of this Nation.

'Theſe are the Men that would perſuade the 'People, that both Houſes of *Parliament* (contain-'ing all the *Peers*, and repreſenting all the *Commons* 'of *England*) would deſtroy the Laws of the Land 'and Liberty of the People; wherein, beſides the 'Truſt of the whole, they themſelves, in their 'own Particulars, have ſo great an Intereſt of Ho-'nour and Eſtate, that we hope it will gain little 'Credit with any that have the leaſt Uſe of Rea-'ſon, that ſuch as muſt have ſo great a Share in 'the Miſery, ſhould take ſo much Pains in the 'Procuring thereof; and ſpend ſo much Time, and 'run ſo many Hazards, to make themſelves Slaves 'and deſtroy the Property of their Eſtates.

'But

'But that we may give particular Satisfaction to 'the ſeveral Imputations caſt upon us, we ſhall 'take them in Order, as they are laid upon us, in 'that *Meſſage*. An. 18. Car. I. 1642. May.

'*Firſt*, We are charged *for the Avowing of that 'Act of Sir* John Hotham, *which is termed unpara-'lelled, and an high and unheard-of Affront unto his 'Majeſty*; and, as if we needed not to have done 'it, *he being able*, as is alledged, *to produce no ſuch 'Command of the Houſes of Parliament.*

'Although Sir *John Hotham* had not an *Order* 'that did expreſs every Circumſtance of that Caſe, 'yet he might have produced an *Order* of both 'Houſes which did comprehend this Caſe, not on-'ly in the clear Intention, but in the very Words 'thereof; which knowing in our Conſciences to be 'ſo, and to be moſt neceſſary for the Safety of the 'Kingdom, we could not but in Honour and Ju-'ſtice avow that Act of his; which we are confi-'dent will appear to all the World to be ſo far from 'being an Affront to the King, that it will be 'found to have been an Act of great Loyalty to 'his Majeſty, and to his Kingdom.

'The next Charge upon is, *That, inſtead of gi-'ving his Majeſty Satisfaction, we publiſhed a* Decla-'claration *concerning that Buſineſs, as an* Appeal *un-'to the* People; *as if our Intercourſe with his Ma-'jeſty, and for his Satisfaction, were now to no more 'Purpoſe*; which Courſe is alledged to be *very un-'agreable to the Modeſty and Duty of former Times, 'and not warrantable by any Precedents, but what 'ourſelves have made.*

'If the Penner of this *Meſſage* had waited a 'while, and had not expected that two Houſes of 'Parliament, (eſpecially burthened as they are at 'this Time with ſo many preſſing and urgent Af-'fairs) ſhould have moved as faſt as himſelf, he 'would not have ſaid that *Declaration* was inſtead 'of an *Anſwer* to his Majeſty; which we did diſ-'patch with all the Speed and Diligence we could, 'and have ſent it to his Majeſty by a Committee of 'both

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'both Houſes; whereby it appears, that we did 'it not upon that Ground, *that we thought it was 'no more to any Purpoſe to endeavour to give his 'Majeſty Satisfaction.* And as for *the Duty and Mo-'deſty of former Times, from which we are ſaid to 'have varied, and to want the Warrant of any Pre-'cedents therein, but what ourſelves have made:* If 'we have made any Precedents in this Parliament, 'we have made them for Poſterity; upon the ſame, 'or better, Grounds of Reaſon and Law than thoſe 'were, upon which our Predeceſſors firſt made 'any for us. And as ſome Precedents ought not 'to be Rules for us to follow, ſo none can be 'Limits to bound our Proceedings, which may 'and muſt vary according to the different Condition 'of Times; and for this Particular *of ſetting forth* 'Declarations, *for the Satisfaction of the People, 'who have choſen and intruſted us with all that is 'deareſt to them*; if there be no Example for it, it 'is becauſe there were never any ſuch Monſters be-'fore, that ever attempted to diſaffect the People 'from a Parliament, or could ever harbour a 'Thought that it might be effected: Were there 'ever ſuch Practices to poiſon the People with an 'ill Apprehenſion of the Parliament? Were there 'ever ſuch Imputations and Scandals laid upon the 'Proceedings of both Houſes? Were there ever ſo 'many and ſo great Breaches of Privilege of Par-'liament? Were there ever ſo many and ſo deſpe-'rate Deſigns of Force and Violence againſt the 'Parliament, and the Members thereof? If we 'have done more than ever our Anceſtors have done, 'we have ſuffered more than ever they have ſuf-'fered; and yet, in point of Modeſty and Duty, 'we ſhall not yield to the beſt of former Times; 'and we ſhall put this in Iſſue, Whether the higheſt 'and moſt unwarrantable Proceedings of any of his 'Majeſty's Predeceſſors, do not fall ſhort of, and 'much below, what hath been done to us this Par-'liament: And on the other Side, Whether, if we 'ſhould make the higheſt Precedents of other Par-'liaments

'liaments our Patterns, there would be Cauſe to complain of *Want of Modeſty and Duty in us*; when we have not ſo much as ſuffered ſuch Things to enter into our Thoughts, which all the World knows they have put in Action? An. 18. Car. I. 1642. May.

'Another Charge which is laid very high upon us (and which were indeed a very great Crime if we were found guilty thereof) is, *That, by Avowing this Act of Sir* John Hotham, *we do, in Conſequence, confound and deſtroy the Title and Intereſt of all his Majeſty's good Subjects to their Lands and Goods; and that upon this Ground, That his Majeſty hath the ſame Title to his own Town of* Hull, *which any of his Subjects have to their Houſes or Lands; and the ſame to his Magazine or Munition there, that any Man hath to his Money, Plate, or Jewels; and therefore that they ought not to have been diſpoſed of without or againſt his Conſent, no more than the Houſe, Land, Money, Plate, or Jewels, of any Subject ought to be, without or againſt his Will.*

'Here that is laid down for a Principle, which would indeed pull up the very Foundation of the Liberty, Property, and Intereſt of every Subject in particular, and of all the Subjects in general; if we ſhould admit it for a Truth, *That his Majeſty hath the ſame Right and Title to his Towns and Magazine* (bought with the Public Monies, as we conceive that at *Hull* to have been) *that every particular Man hath to his Houſe, Lands, and Goods*; for his Majeſty's Towns are no more his own, than his Kingdom is his own; and his Kingdom is no more his own, than his People are his own; and if the King had a Property in all his Towns, what would become of the Subjects Property in their Houſes therein? And if he had a Property in his Kingdom, what would become of the Subjects Property in their Lands throughout the Kingdom? Or of their Liberties, if his Majeſty had the ſame Right in their Perſons, that every Subject hath in their Lands, or Goods? And what ſhould become of all the Subjects Intereſt in

'the

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'the Towns and Forts of the Kingdom, and in the 'Kingdom itſelf, if his Majeſty might ſell, or give 'them away, or diſpoſe of them at his Pleaſure, 'as a particular Man may do with his Lands and 'with his Goods? This erroneous Maxim, being 'infuſed into Princes, *That their Kingdoms are their 'own, and that they may do with them what they 'will*, (as if their Kingdoms were for them, and 'not they for their Kingdoms) is the Root of all 'the Subjects Miſery, and of all the Invading of 'their juſt Rights and Liberties; whereas, indeed, 'they are only intruſted with their Kingdoms, and 'with their Towns, and with their People, and 'with the public Treaſure of the Common-wealth 'and whatſoever is bought therewith: By the 'known Law of this Kingdom, the very Jewels 'of the Crown are not the King's proper Goods, 'but are only intruſted to him for the Uſe and Or-'nament thereof; as the Towns, Forts, Treaſure, 'Magazine, Offices and People of the Kingdom, 'and the whole Kingdom itſelf, are intruſted unto 'him for the Good and Safety and beſt Advantage 'thereof: And as this Truſt is for the Uſe of the 'Kingdom, ſo ought it to be manag'd by the Advice 'of the Houſes of Parliament, whom the Kingdom 'hath truſted for that Purpoſe; it being their Duty 'to ſee it be diſcharged according to the Condition 'and true Intent thereof; and, as much as in them 'lies, by all poſſible Means to prevent the contra-'ry; which, if it hath been their chief Care and 'only Aim in the diſpoſing of the Town and Ma-'gazine of *Hull*, in ſuch Manner as they have done, 'they hope it will appear clearly to all the World, 'That they have diſcharged their own Truſt, and 'not invaded that of his Majeſty's; much leſs, his 'Property, which, in this Caſe, they could not 'do.

'But admitting his Majeſty had, indeed, a Pro-'perty in the Town and Magazine of *Hull*, who 'doubts but that a Parliament may diſpoſe of any 'Thing wherein his Majeſty or any Subject hath

'a

'a Right, in ſuch a Way as that the Kingdom 'may not be expoſed to Hazard or Danger thereby? 'which is our Caſe in the diſpoſing of the Town 'and Magazine of *Hull*. And whereas his Majeſty 'doth allow this, and a greater, Power to a Parliament, but in that Senſe only as he himſelf is a 'Part thereof; we appeal to every Man's Conſcience, that hath obſerved our Proceedings, whether we diſjoined his Majeſty from his Parliament; 'who have, in all humble Ways, ſought his Concurrence with us; as in this Particular about *Hull*, 'and for the Removal of the Magazine there, ſo 'alſo in all other Things; or whether theſe evil 'Counſellors about him have not ſeparated him 'from his Parliament, not only in Diſtance of 'Place, but alſo in the Diſcharge of this joint 'Truſt with them for the Peace and Safety of the 'Kingdom, in this and ſome other Particulars.

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'We have given no Occaſion to his Majeſty to 'declare his Reſolution with ſo much Earneſtneſs, '*That he will not ſuffer either, or both Houſes, by their* 'Votes, *without or againſt his Conſent, to enjoin any* '*Thing that is forbidden by the Law, or to forbid* '*any Thing that is enjoined by the Law*; for our '*Votes* have done no ſuch Thing: And as we ſhall 'be very tender of the Law; (which we acknowledge to be the Safeguard and Cuſtody of all public and private Intereſts) ſo we ſhall never allow 'a few private Perſons about his Majeſty, nor his 'Majeſty himſelf, in his own Perſon and out of 'his Court, to be Judge of the Law; and that 'contrary to the Judgment of the Higheſt Court 'of Judicature: In like Manner, *That his Ma*'*jeſty hath not refuſed to conſent to any Thing, that* '*might be for the Peace and Happineſs of the King*'*dom*, we cannot admit it in any other Senſe, 'but as his Majeſty taketh the Meaſure of what 'will be for the Peace and Happineſs of the Kingdom, from ſome few ill-affected Perſons about 'him, contrary to the Advice and Judgment of 'his great Council of Parliament.

'And

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'And becauſe the Advice of both Houſes of 'Parliament hath, through the Suggeſtions of evil 'Counſellors, been ſo much undervalued of late, 'and ſo abſolutely rejected and refuſed; we hold it 'fit to declare unto the *Kingdom*, (whoſe Honour 'and Intereſt is ſo much concerned in it) what is the 'Privilege of the great Council of Parliament here-'in, and what is the Obligation that lieth upon the 'Kings of this Realm to paſs ſuch Bills as are offered 'unto them by both Houſes of Parliament, in the 'Name, and for the Good, of the whole Kingdom; 'whereunto they ſtand engaged, both in Conſcience 'and in Juſtice, to give their Royal Aſſent (z): In 'Conſcience, in reſpect of the *Oath* that is, or 'ought to be, taken by the *Kings* of this Realm at 'their *Coronation*; as well to confirm, by their Royal 'Aſſent, ſuch good Laws as their People ſhall chooſe; 'and to remedy, by Law, ſuch Inconveniences as 'the Kingdom may ſuffer; as to keep and protect 'the Laws already in being. This may appear 'both by the Form of the *Oath* upon Record, and 'in Books of good Authority, and by the Statute 'of the 25th of *Edward* III. intitled, *The Statute 'of Proviſors of Benefices*; the Form of which 'Oath, and the Clauſe of that *Statute* concerning it, 'are as followeth:

Rot. Parl. An. 1. Hen. IV. *N.* 17.

FORMA JURAMENTI ſoliti et conſueti præſtari, per REGES ANGLIÆ, in eorum CORONATIONE.

'*Servabis Eccleſiæ Dei, Cleroq; & Populo, Pacem 'ex integro, et Concordiam in Deo, ſecundum Vires 'tuas?*

Reſpondebit, Servabo.

Fa-

(z) It appears by the *Commons Journals* of the 19th of this Month, that there was a Diviſion in the Houſe, upon the Queſtion 'Whether this Clauſe beginning with theſe Words, *In Conſcience, &c.* ſhould ſtand as Part of this *Declaration?*' It was carried in the Affirmative by 103 Voices againſt 61. This enables us to correct a Miſtake of Lord *Clarendon*'s, wherein he ſays, ſpeaking of the Time of the paſſing this *Declaration*, 'That, in Debates of the higheſt Conſequence, there was not uſually preſent in the Houſe of Commons the Fifth Part of their juſt Numbers.

'*Facies fieri, in omnibus Judiciis tuis, equam & rectam Juſtitiam, & Diſcretionem in Miſericordia & Veritate, ſecundum Vires tuas?* An. 18. Car. I. 1642. May.

Reſpondebit, Faciam.

'*Concedis juſtas Leges & Conſuetudines eſſe tenendas, & promittis, per te eas eſſe protegendas, & ad Honorem Dei corroborandas, quas Vulgus elegerit, ſecundum Vires tuas?*

Reſpondebit, Concedo et promitto.

'*Adjicianturq; prædictis Interrogationibus quæ juſta fuerint, prænunciatiſq; omnibus, confirmet Rex ſe omnia ſervaturum, Sacramento ſuper Altare præſtito, coram cunctis.*

A CLAUSE in the PREAMBLE of a STATUTE made the 25th of *Edward* III. intitled, *The Statute of Proviſors of Benefices.*

'*Whereupon the ſaid Commons have prayed our ſaid Lord the King, that ſince the Right of the Crown of* England, *and the Law of the ſaid Realm is ſuch, that, upon the Miſchiefs and Damages which happen to his Realm, he ought, and is bound by his Oath, with the Accord of his People in his Parliament, thereof to make Remedy and Law; and in removing the Miſchiefs and Damages which thereof enſue, that it may pleaſe him thereupon to ordain Remedy:*

'*Our Lord the King ſeeing the Miſchiefs and Damages beforementioned; and having Regard to the ſaid Statute, made in the Time of his ſaid Grandfather, (a) and to the Cauſes contained in the ſame, which Statute holdeth always his Force, and was never defeated, repealed, nor annulled in any Point; and by ſo much he is bounden by his* Oath *to cauſe the ſame to be kept as the Law of his Realm, tho' that, by Sufferance and Negligence, it hath been ſince attempted to the contrary; alſo having Regard to*

(*a*) The Statute at *Carliſle*, *Anno* 35. *Edward* 1. See Vol. I. p. 131, and 274.

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'*the grievous Complaints made to him by his People,* '*in divers his Parliaments holden heretofore, willing* '*to ordain Remedy for the great Damages and Miſ-* '*chiefs which have happened, and daily do happen,* '*to the Church of* England *by the ſaid Cauſe*, &c.

'Here the Lords and Commons claim it di-'rectly, as the Right of the Crown of *England*, 'and of the Law of the Land, That the King is 'bound by his *Oath*, with the Accord of his People 'in Parliament, to make Remedy and Law upon 'the Miſchiefs and Damages which happen to this 'Realm; and the King doth not deny it, altho' 'he take Occaſion, from a Statute formerly made 'by his Grandfather, which was laid as a Part of 'the Ground of this *Petition*, to fix his *Anſwer* 'upon another Branch of his *Oath*; and pretermits 'that which is claimed by the Lords and Com-'mons, which he would not have done if it might 'have been excepted againſt.

'In Juſtice they are obliged thereunto, in re-'ſpect of the Truſt repoſed in them, which is as 'well to preſerve the Kingdom by the making of 'new Laws where there ſhall be need, as by ob-'ſerving of Laws already made. A Kingdom be-'ing many Times as much expoſed to Ruin for 'the Want of a new Law, as by the Violation of 'thoſe that are in being; and this is ſo clear a Right, 'that, no Doubt, his Majeſty will acknowlege it to 'be as due unto his People as his Protection; but 'how far forth he is obliged to follow the Judg-'ment of his Parliament therein, that is the Que-'ſtion. And certainly, beſides the Words in the 'King's *Oath*, referring unto ſuch Laws as the 'People ſhall chuſe, as in ſuch Things which con-'cern the Public Weal and Good of the Kingdom, 'They are the moſt proper Judges, who are ſent 'from the whole Kingdom for that very Purpoſe; 'ſo we do not find, ſince Laws have paſſed by way 'of Bills (which are read thrice in both Houſes, 'and committed, and every Part and Circumſtance

'of

'of them fully weighed and debated upon the Com- An. 18. Car. I.
'mitment, and afterwards paſſed in both Houſes) 1642.
'that ever the Kings of this Realm did deny them, May.
'otherwiſe than is expreſſed in that uſual Anſwer,
'*Le Roy s'aviſera*; which ſignifies rather a Suſ-
'penſion than a Refuſal of the Royal Aſſent *(b)*:
'And in thoſe other Laws, which are framed by
'Way of *Petition of Right*, the Houſes of Parlia-
'ment have taken themſelves to be ſo far Judges of
'the Rights claimed by them, that when the King's
'*Anſwer* hath not, in every Point, been fully accord-
'ing to their Deſire, they have ſtill inſiſted upon
'their Claim; and never reſted ſatisfied till ſuch
'Time as they had an *Anſwer* according to their own
'Demands; as was done in the late *Petition of Right*,
'and in former Times upon the like Occaſion:
'And if the Parliament be Judge between the
'King and his People in the Queſtion of *Right*,
'(as by the Manner of the Claim in *Petitions of*
'*Right*, and by *Judgments* in *Parliament*, in Caſes
'of illegal *Impoſitions* and *Taxes*, and the like, it ap-
'peareth to be) why ſhould they not be ſo alſo in
'the Queſtion of the *Common Good* and *Neceſſity*
'of the *Kingdom*; wherein the *Kingdom* hath as clear
'a Right alſo to have the Benefit and Remedy of
'Law, as in any Thing whatſoever? And yet we
'do not deny but in private Bills, and alſo in pub-
'lick Acts of Grace, as *Pardons*, and the like *Grants*
'of *Favour*, his Majeſty may have a greater Lati-
'tude of Granting or Denying, as he ſhall think
'fit.

'All this conſider'd, we cannot but wonder, That
'the Contriver of this *Meſſage* ſhould conceive the
'People of this Land to be ſo void of Common
'Senſe, as to enter into ſo deep a Miſtruſt of thoſe
'that they have repoſed, and his Majeſty ought
'to repoſe, ſo great a Truſt in, as to deſpair of
'any Security in their private Eſtate, by Deſcents,
'Purchaſes, Aſſurances, or Conveyances; unleſs
'his Majeſty ſhould, by his *Vote*, prevent the Preju-
'dice they might receive therein, by the *Votes* of

(b) See Volume X. p. 517.

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both Houſes of *Parliament*: As if they, who are eſpecially choſen and intruſted for that Purpoſe, and, who themſelves, muſt needs have ſo great a Share in all Grievances of the Subject, had wholly caſt off all Care of the Subject's Good; and his Majeſty had, ſolely, taken it up: And as if it could be imagined, That they ſhould, by their *Votes*, overthrow the Right of Deſcents, Purchaſes, or of any Conveyance or Aſſurance, in whoſe Judgment the Kingdom hath placed all their particular Intereſts, if any of them ſhould be called in Queſtion in any of thoſe Caſes; and that (as knowing not where to place them with greater Security) without any Appeal from them, to any other Perſon or Court whatſoever.

'But indeed we are very much to ſeek how the Caſe of *Hull* ſhould concern Deſcents and Purchaſes, or Conveyances and Aſſurances, unleſs it be in procuring more Security to Men in their private Intereſts, by the Preſervation of the whole from Confuſion and Deſtruction; and much leſs do we underſtand how the *Sovereign Power* was reſiſted and deſpiſed therein: *(c)* Certainly no Command from his *Majeſty*, and his High Court of *Parliament*, where the *Sovereign Power* reſides, was diſobeyed by Sir *John Hotham*; nor yet was his Majeſty's Authority derived out of any other Court, or by any legal Commiſſion, or by any other Way wherein the Law hath appointed his Majeſty's Commands to be derived to his Subjects: And of what Validity his *verbal Commands* are, without any ſuch Stamp of his Authority upon them, and againſt the *Order* of both Houſes of *Parliament*; and whether the not Submitting thereunto be a Reſiſting and Deſpiſing of the *Sovereign Authority*, we leave it to all Men to judge, that do at all underſtand the Government of this Kingdom.

'We

(c) In our Eighth Volume (p. 117, *& ſeq.*) the Reader will find a long Debate, occaſioned by a Conference between the two Houſes, concerning the Nature and Extent of *Sovereign Power*.

'We acknowledge, *That his Majeſty hath made* An. 18. Car. I. 1642. May.
'*many Expreſſions of his Zeal and Intentions againſt*
'*the deſperate Deſigns of Papiſts*; but yet it is alſo
'as true, that the Counſels, which have prevailed
'of late with him, have been little ſuitable to thoſe
'Expreſſions and Intentions: For what doth more
'advance the open and bloody Deſign of the *Pa-*
'*piſts* in *Ireland*, (whereon the ſecret Plots of the
'*Papiſts* here do, in all likelihood, depend) than
'his Majeſty's abſenting himſelf, in that Manner
'that he doth, from his Parliament, and ſetting
'forth ſuch ſharp Invectives againſt them; not-
'withſtanding the humble *Petitions*, and other
'Means, which his Parliament hath addreſſed un-
'to him for his Return, and for his Satisfaction
'concerning their Proceedings? And what was
'more likely to give a Riſe to the Deſigns of *Papiſts*
'(whereof there are ſo many in the *North* near to the
'Town of *Hull*) and of other malignant and ill-
'affected Perſons, which are ready to join with
'them, or to the Attempts of Foreigners from a-
'broad, than the Continuing of that great Magazine
'at *Hull*, at this Time, contrary to the Deſire and
'Advice of both Houſes of Parliament? So that
'we have too much Cauſe to believe, that the *Pa-*
'*piſts* have ſtill ſome Way and Means, whereby
'they have Influence upon his Majeſty's Counſels
'for their own Advantage.

'For the *Malignant Party*, his Majeſty needeth
'not a Definition of the Law, nor yet a more full
'Character of them from both Houſes of Parlia-
'ment, for to find them out; if he will pleaſe only
'to apply the Character, that himſelf hath made of
'them, to thoſe unto whom it doth properly and
'truely belong, who are ſo much diſaffected to
'the Peace of the Kingdom, as that they endea-
'vour to diſaffect his Majeſty from the Houſes of
'Parliament, and perſuade him to be at ſuch a
'Diſtance from them both in Place and Affection.
'Who are more diſaffected to the Government of
'the Kingdom, than ſuch as lead his Majeſty away
'from hearkning to his Parliament, (which, by the

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'Conſtitution of this Kingdom is his greateſt and 'beſt Council) and perſuade him to follow the ma-'litious Counſels of ſome private Men, in oppoſing 'and contradicting the wholeſome Advices and juſt 'Proceedings of that his moſt faithful Council and 'higheſt Court? Who are they that not only neglect 'and deſpiſe, but labour to undermine the Law, under 'Colour of maintaining of it, but they that endea-'vour to deſtroy the Fountain and Conſervatory 'of the Law, which is the Parliament? And who 'are they that *ſet up Rules for themſelves to walk by, 'other than ſuch as are appointed by Law*, but they 'that will make other Judges of the Law than the 'Law hath appointed; and ſo diſpenſe with their 'Obedience to that which the Law calleth *Au-'thority*, and to their Determinations and Reſolu-'tions to whom the Judgment doth appertain by 'Law? For when private Perſons ſhall make the 'Law to be their Rule, according to their own Un-'derſtandings, contrary to the Judgments of thoſe 'that are competent Judges thereof, they ſet up 'unto themſelves other Rules than the Law doth 'acknowledge. Who theſe Perſons are, none 'knoweth better than his Majeſty himſelf; and if 'he will pleaſe to take all poſſible Caution of them, 'as deſtructive to the Common-Wealth and him-'ſelf, and would remove them from about him, 'it would be the moſt effectual Means to compoſe 'all the Diſtractions, and to cure the Diſtempers of 'this Kingdom.

'*For the Lord* Digby's *Letter*, we did not make 'Mention of it as a *Ground to hinder his Majeſty from 'viſiting his own Fort*; but we appeal to the Judg-'ment of any indifferent Man that ſhall read that '*Letter*, and compare it with the Poſture that his 'Majeſty then did, and ſtill doth, ſtand in towards 'the Parliament, and with the Circumſtances of 'that late Action of his Majeſty in going to *Hull*, 'whether the Adviſers of that Journey intended '*only a Viſit* of that Fort and Magazine. As to the 'Ways and Overtures of Accommodation, and 'the *Meſſage* of the 20th of *January* laſt, *ſo often 'preſſed*,

'*preſſed, but ſtill in vain*, as is alledged, our *An-* An. 18. Car. I.
'*ſwer* is, That although, ſo often as the *Meſſage* of 1642.
'the 20th of *January* hath been preſſed, ſo often May.
'have our Privileges been clearly infringed; in that
'a Way and Method of Proceeding ſhould be pre-
'ſcribed unto us, as well for the ſettling of his Ma-
'jeſty's Revenue, as for the preſenting of our own
'Deſires: A Thing which, in former Parliaments,
'hath always been excepted againſt as a Breach of
'Privilege; yet, in reſpect of the Matter contained
'in that *Meſſage*, and out of our earneſt Deſire to
'beget a good Underſtanding between his Majeſty
'and us, we ſwallowed down all Matters of Cir-
'cumſtance; and had, e'er this Time, preſented the
'chief of our Deſires to his Majeſty; had we not
'been interrupted with continual Denials, even of
'thoſe Things that were neceſſary for our preſent
'Security and Subſiſtance; and had not thoſe De-
'nials been followed with perpetual Invectives a-
'gainſt us and our Proceedings; and had not thoſe
'Invectives been heaped upon us ſo thick one after
'another, (who were already in a Manner wholly
'taken up with the preſſing Affairs of this King-
'dom, and of the Kingdom of *Ireland*) that, as
'we had little Encouragement from thence to hope
'for any good *Anſwers* to our Deſires, ſo we had
'not ſo much Time left us to perfect them in ſuch
'a Manner as to offer them unto his Majeſty.

'We confeſs it is a Reſolution moſt worthy of
'a Prince, and of his Majeſty, *To ſhut his Ears a-*
'*gainſt any that would incline him to a* Civil War,
'*and to abhor the very Apprehenſion of it*; but we
'cannot believe that Mind to have been in them
'that came with his Majeſty to the Houſe of Com-
'mons; or in them that accompanied his Majeſty
'to *Hampton-Court*, and appeared in a warlike
'Manner at *Kingſton* upon *Thames*; or in divers
'of them that followed his Majeſty now lately to
'*Hull*; or in them that, after, drew their Swords
'at *York*, demanding *who would be for the King*;
'nor in them that adviſed his Majeſty to declare

'Sir

An. 18. Car. I. 1642. May. ‘Sir *John Hotham* a Traitor, before the *Meſſage* ‘was ſent concerning that Buſineſs to the Parliament; or to make *Propoſitions* to the Gentlemen ‘of the County of *York*, to aſſiſt his Majeſty to proceed againſt him in a Way of Force, before he ‘had, or poſſibly could, receive an Anſwer from the ‘*Parliament*, to whom he had ſent to demand Juſtice of them againſt Sir *John Hotham* for that ‘Fact: And if thoſe malignant Spirits ſhall ever ‘force us to defend our Religion, the Kingdom, ‘the Privileges of Parliament, and the Rights and ‘Liberties of the Subjects, with our Swords, the ‘Blood and Deſtruction, that ſhall enſue thereupon, ‘muſt be wholly caſt upon their Account, *God and ‘our own Conſciences tell us that we are clear; and ‘we doubt not but God and the whole World will clear ‘us therein.*

‘For Captain *Legge*, we did not ſay, *That he ‘was accuſed, or that there was any Charge againſt ‘him for the bringing up of the Army*; but that he ‘was employed in that Buſineſs. And for that ‘Queſtion concerning the Earl of *Newcaſtle*, mentioned by his Majeſty, which is ſaid *to have been ‘asked long ſince, and that it is not eaſy to be anſwered*; we conceive that it is a Queſtion of more Difficulty, and harder to be anſwered, Why, when ‘his Majeſty held it neceſſary, upon the ſame ‘Grounds that firſt moved from the Houſes of Parliament, that a Governor ſhould be placed in that ‘Town, Sir *John Hotham*, a Gentleman of known ‘Fortune and Integrity, and a Perſon of whom ‘both Houſes of Parliament had expreſſed their ‘Confidence, ſhould be refuſed by his Majeſty; and ‘the Earl of *Newcaſtle* (who, by the Way, was ſo ‘far named in the Buſineſs of the bringing up of the ‘Army, that although there was not Ground enough for a judicial Proceeding, yet there was ‘Ground of Suſpicion; at leaſt his Reputation was ‘not left ſo unblemiſh'd thereby, as that he ſhould ‘be thought the fitteſt Man in *England* for that ‘Employment of *Hull*) ſhould be ſent down, in a

‘private

'private Way, from his Majeſty, to take upon him 'that Government; and why he ſhould diſguiſe 'himſelf under another Name, when he came thi- 'ther, as he did?

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'But whoſoever ſhall conſider, together with 'theſe Circumſtances, that of the *Time* when Sir 'John Hotham was firſt appointed by both Houſes 'of Parliament to take upon him that Employment; 'which was preſently after his Majeſty's Coming 'to the Houſe of Commons, and upon the retiring 'of himſelf to *Hampton-Court*, and the Lord *Dig-* 'by's aſſembling of Cavaliers at *Kingſton* upon 'Thames, will find Reaſon enough why that Town 'of *Hull* ſhould be committed rather to Sir *John* 'Hotham, by the Authority of both Houſes of Par- 'liament, than to the Earl of *Newcaſtle*, ſent from 'his Majeſty in the Manner that he was: And for 'the Power that Sir *John Hotham* has from the 'Houſes of Parliament, the better it is known and 'underſtood, we are confident the more it will be 'approved of and juſtified. And as we do not 'conceive, That *his Majeſty's Refuſal* to have that 'Magazine removed could give any Advantage a- 'gainſt him to have it taken from him; and as no 'ſuch Thing is done, ſo we cannot conceive for 'what other Reaſon any ſhould counſel his Ma- 'jeſty *not to ſuffer it to be removed*, upon the De- 'ſire of both Houſes of Parliament; except it be 'that they had an Intention to make Uſe of it *a-* 'gainſt the Parliament.

'We did not except againſt thoſe that preſented 'a *Petition* to his Majeſty at *York*, for the Continu- 'ance of the Magazine at *Hull, in reſpect of their* 'Condition, *or in reſpect of their Number, becauſe* 'they were mean Perſons, *or becauſe they were few*; 'but becauſe they being but a few, and there being 'ſo many more in the County of as good Quality 'as themſelves, (who have, by their *Petition* to his 'Majeſty, diſavowed that Act of theirs) that they 'ſhould take upon themſelves the Style of *All the* 'Gentry and Inhabitants of that County; and, un-

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'der that Style, ſhould preſume to interpoſe their 'Advice contrary to the *Votes* of both Houſes of 'Parliament; and if it can be made appear, that 'any of theſe *Petitions*, that are ſaid to have been 'preſented to the Houſes of Parliament, *and to have* '*been of a ſtrange Nature*, were of ſuch a Nature 'as that before-mentioned, we are confident they 'were never received with our Conſent and Ap-'probation.

'Whether there was *an Intention to deprive Sir* 'John Hotham *of his Life*, if his Majeſty had been 'admitted into *Hull*; and whether the Information 'were ſuch, as that he had Ground to believe it, 'we will not bring it into Queſtion; for that it 'was not, nor ought to have been, the *Ground* for 'doing what he did; neither was the *Number of* '*his Majeſty's Attendants*, for being more or fewer, 'much conſiderable in this Caſe: For although it 'be true, That if his Majeſty had entered *with* '*twenty Horſe only*, he might haply have found 'Means to have forced the Entrance of the reſt 'of his Train, who, being once in the Town, 'would not have been long without Arms; yet 'that was not the *Ground* that Sir *John Hotham* was 'to proceed upon; but upon the Admittance of 'the King into the Town at all, ſo as to *deliver up* '*the Town and Magazine unto him, and to whomſo-*'*ever he ſhould give the Command thereof*, without 'the Knowledge and Conſent of both Houſes of 'Parliament, by whom he was *entruſted* to the con-'trary; and his Majeſty having declared that *to be* '*his Intention* concerning the Town, in a *Meſſage* 'that he ſent to the Parliament not long before he 'went to *Hull*, ſaying, *That he did not doubt but* '*that Town ſhould be delivered up to him, whenſoever* '*he pleaſed, as ſuppoſing it to be kept againſt him*; 'and in like Manner concerning the Magazine, 'in his *Meſſage* of the 24th of *April*; wherein it is 'expreſſed, *That his Majeſty went thither with a* '*Purpoſe to take into his Hands the Magazine, and* '*to diſpoſe of it in ſuch a Manner as he ſhould think* '*fit*: Upon theſe Terms Sir *John Hotham* could

'not

'not have admitted his Majeſty, and made good his *Truſt* to the Parliament; though his *Majeſty* would have enter'd *alone*, without any Attendance at all of his own, or of the Prince or Duke, his Sons; which we do not wiſh to be leſs than they are in their Number, but could heartily wiſh they were, generally, better in their Conditions. An. 18. Car. I. 1642. May.

'In the Cloſe of this *Meſſage*, his Majeſty ſtates the Caſe of *Hull*, and thereupon inferreth, *That the Act of Sir* John Hotham *was levying of War againſt the King, and conſequently that it was no leſs than High Treaſon, by the Letter of the Statute of* 25. Edward III. Cap. 2. *unleſs the Senſe of that Statute be very differing from the Letter thereof.*

'In the ſtating of this Caſe divers Particulars may be obſerved, wherein it is not rightly ſtated; as, *firſt*, That his Majeſty's going to *Hull* was *only an Endeavour to viſit a Town and Fort of his*; whereas it was indeed *to poſſeſs himſelf of the Town and Magazine there, and to diſpoſe of them as* he himſelf *ſhould think good, without, and contrary to, the* Advice *and* Orders *of* both Houſes *of* Parliament; as doth clearly appear by *his Majeſty*'s own *Declaration* of his Intention therein, and by his *Meſſages* to both Houſes, immediately before and after that Journey. Nor can we believe that any Man, that ſhall conſider the Circumſtances of that Journey to *Hull*, can think that his Majeſty would have gone thither at that Time, and in that Poſture he was pleaſed to put himſelf in towards the Parliament, if he had intended only *a Viſit to the Town and Magazine. Secondly*, It is ſaid to be *his Majeſty's own Town, and his own Magazine*; which being underſtood in that Senſe as was before expreſſed, as if his Majeſty had a *private Intereſt or Property* therein, we cannot admit it to be ſo. *Thirdly*, (which is the main Point of all) *Sir* John Hotham *is ſaid to have ſhut the Gates againſt his Majeſty, and to have made Reſiſtance with armed Men in defiance of his Majeſty*; whereas it was indeed in *Obedience* to his Majeſty and his Authority, and for his Service, and the Service of

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'the Kingdom; for which Uſe only all that Inte-
'reſt is that the King hath in the Town, and it is
'no farther his to diſpoſe of, than he uſeth it for
'that End: And Sir *John Hotham* being com-
'manded to keep the Town and Magazine for
'his Majeſty and the Kingdom, and not to deliver
'them up, but by *his Majeſty's Authority ſignified*
'*by both Houſes of Parliament*, all that is to be un-
'derſtood by thoſe Expreſſions of his *denying and*
'*oppoſing his Majeſty's Entrance, and telling him, in*
'*plain Terms, he ſhould not come in*, was only this,
'*That he humbly deſired his Majeſty to forbear his*
'*Entrance till he might acquaint the Parliament, and*
'*that his Authority might come ſignified to him by*
'both Houſes *of* Parliament, *according to the* Truſt
'*repoſed in him.* And certainly if the *Letter* of the
'*Statute*, of 25. *Edward* III. *Cap.* 2. be thought
'to import this, That no War can be levied againſt
'the King, but what is directed and intended againſt
'*his Perſon*; or that every levying of Forces *for*
'*the Defence of the King's Authority*, and of his
'Kingdom, *againſt the perſonal Commands* of the
'King oppoſed thereunto, though accompanied
'with his Preſence, is levying War *againſt the King*,
'it is very far from the *Senſe* of that *Statute*; and
'ſo much the *Statute* itſelf ſpeaks, beſides the Autho-
'rity of *Book-Caſes*, and *Precedents* of divers Trai-
'tors condemned upon that Interpretation there-
'of: For if the Clauſe of levying War had been
'meant only againſt the *King's Perſon*, what Need
'had there been thereof, after the other Branch of
'Treaſon, in the ſame Statute, of compaſſing the
'*King's Death*, which would neceſſarily have im-
'plied this? And becauſe the former Clauſe doth
'imply this, it ſeems not at all to be intended in this
'latter Branch; but only the levying War *againſt*
'*the King*, that is, *againſt his Laws and Authority*;
'and the levying War *againſt his Laws and Au-*
'*thority*, though not *againſt his Perſon*, is levying
'War *againſt the King*; but the levying of Force
'*againſt his perſonal Commands*, though accompa-
'nied with his Preſence; and *not againſt his Laws*

'*and*

'*and Authority*, but in the Maintenance thereof, is An. 18. Car. I. 1642. May.
'no levying of War *againſt* the *King*, but *for* him.

'Here is then our Caſe: In a Time of ſo many 'ſucceſſive Plots and Deſigns of Force againſt the 'Parliament and Kingdom; in a Time of probable 'Invaſion from abroad, and that to begin at *Hull*, 'and to take the Opportunity of ſeizing upon ſo 'great a Magazine there; in a Time of ſo great 'Diſtance and Alienation of his Majeſty's Affec-'tions from his Parliament, and in them from his 'Kingdom which they repreſent, by the wicked 'Suggeſtions of a few malignant Perſons, by whoſe 'miſchievous Counſels he is wholly led away from 'his Parliament, and their faithful Advice and Coun-'ſels: In ſuch a Time, the Lords and Commons in 'Parliament commanded Sir *John Hotham* to draw 'in ſome of the Train'd Bands of the Parts adja-'cent to the Town of *Hull*, for the ſecuring of 'that Town and Magazine, for the Service of his 'Majeſty and of the Kingdom; of the Safety where-'of there is a higher Truſt repoſed in them than any 'where elſe, and they are the proper Judges of the 'Danger thereof.

'This Town and Magazine being intruſted to 'Sir *John Hotham*, with *expreſs Orders* not to deli-'ver them up but by the *King's Authority ſignified* '*by both Houſes of Parliament*; his Majeſty, *con-'trary* to the *Advice* and *Direction* of both Houſes 'of *Parliament*, without the Authority of *any* '*Court*, or of any *legal Way* wherein the *Law* ap-'points the King to ſpeak and command, accom-'panied with the ſame evil Counſels about him that 'he had before, by a *verbal Command* requires Sir '*John Hotham* to admit him into the Town; that '*he* might diſpoſe of it, and of the Magazine there, 'according to his own, or rather according to the 'Pleaſure of thoſe evil Counſellors, who are ſtill 'in ſo much Credit about him; in like Manner the 'Lord *Digby* hath continual Recourſe unto, and 'Countenance from, the Queen's Majeſty in *Hol-'land*; by which Means he hath Opportunity ſtill 'to communicate his traiterous Suggeſtions and

'Con-

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'Conceptions to both their Majeſties; ſuch as thoſe 'were concerning *his Majeſty's retiring to a Place 'of Strength, and declaring himſelf; and his own 'advancing of his Majeſty's Service in ſuch a Way 'beyond the Seas, and after that reſorting to his Ma-'jeſty in ſuch a Place of Strength*; and divers other 'Things of that Nature, contained in his Letter to 'the Queen's Majeſty and to Sir *Lewis Dives*; a 'Perſon that had not the leaſt Part in this late Bu-'ſineſs of *Hull*, and was preſently diſpatched away 'into *Holland*, ſoon after his Majeſty's Return from '*Hull*: For what Purpoſe we leave the World to 'judge.

'Upon the Refuſal of Sir *John Hotham* to admit 'his Majeſty into *Hull*, preſently, *without any due 'Proceſs of Law*, before his Majeſty had ſent up the 'Narration of his Fact to the Parliament, he was 'proclaimed Traitor; and yet it is ſaid, *That there-'in there was no Violation of the Subjects Right, nor 'any Breach of the Law, nor of the Privilege of 'Parliament*, though Sir *John Hotham* be a Mem-'ber of the Houſe of Commons; and *that his Ma-'jeſty muſt have better Reaſon than bare* Votes *to be-'lieve the contrary*. Although the *Votes* of the 'Lords and Commons in Parliament, being the 'Great Council of the Kingdom, are the Reaſon 'of the King and of the Kingdom, yet theſe *Votes* 'do not want clear and apparent Reaſon for them: 'For if the *ſolemn Proclaiming a Man a Traitor* 'ſignify any Thing, it puts a Man, and all thoſe 'that any Way aid, aſſiſt, or adhere unto him, in-'to the ſame Condition of Traitors, and draws up-'on him all the Conſequences of Treaſon; and if 'this may be done *by Law, without due Proceſs of 'Law*, the Subject hath a very poor Defence of 'the Law, and a very ſmall, if any, Proportion of 'Liberty thereby: And it is as little Satisfaction to 'a Man that ſhall be expoſed to ſuch Penalties, by 'that Declaration of him to be a Traitor, to ſay, '*He ſhall have a legal Trial afterwards*, as it is to 'condemn a Man firſt and try him afterwards: 'And if there can be a Neceſſity for any ſuch Pro-

'claiming

'claiming a Man a Traitor without due Proceſs of Law, yet there was none in this Caſe; for his Majeſty might have as well expected the Judgment of the Parliament, which was the right Way, as he had Leiſure to ſend to them to demand Juſtice againſt Sir *John Hotham*. And the Breach of Privilege of Parliament is as clear, in this Caſe, as the Subverſion of the Subjects Common Right: For though the Privileges of Parliament do not extend to thoſe Caſes, mentioned in the *Declaration*, of Treaſon, Felony, and Breach of the Peace, ſo as to exempt the Members of Parliament from Puniſhment, nor from all Manner of Proceſs and Trial, as it doth in other Caſes; yet it doth privilege them in the Way and Method of their Trial and Puniſhment, and that the Parliament ſhould have the Cauſe firſt brought before them, that they may judge of the Fact and of the Grounds of the Accuſation, and how far forth the Manner of their Trial may concern, or not concern, the Privilege of Parliament; otherwiſe it would be in the Power, not only of his Majeſty, but of every private Man, under Pretence of Treaſon, or thoſe other Crimes, to take any Man from his Service in Parliament, and ſo as many, one after another, as he pleaſeth; and, conſequently, to make a Parliament what he will, and when he will; which would be a Breach of ſo eſſential a Privilege of Parliament, as that the very Being thereof depends upon it: And therefore we no ways doubt, but every one that hath taken the *Proteſtation*, will, according to his ſolemn *Vow* and *Oath*, defend it with his Life and Fortune. Neither doth the Sitting of a Parliament ſuſpend all or any Law, in maintaining that Law which upholds the Privilege of Parliament, which upholds the Parliament, which upholds the Kingdom: And we are ſo far from believing *That his Majeſty is the only Perſon againſt whom Treaſon cannot be committed*, that, *in ſome Senſe*, we acknowledge he is the *only Perſon againſt whom it can be committed*; that is, as he is King; and that Treaſon which

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'is

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'is againſt the Kingdom is more againſt the King, 'than that which is againſt his Perſon, becauſe he 'is King: For that very Treaſon is not Treaſon as 'it is againſt him *as a Man*; *but as a Man that is a 'King*, and as he hath Relation to the Kingdom, 'and ſtands as a Perſon intruſted with the Kingdom, 'and diſcharging that Truſt.

'Now the Caſe is truly ſtated, and all the World 'may judge where the Fault is; although we muſt 'avow, that there can be no competent Judge of this, 'or any the like Caſe, but a Parliament; and we 'are as confident, that his Majeſty ſhall never have 'Cauſe to reſort to any other Court, or Courſe, for 'the Vindication of his juſt Privileges, and for the 'Recovery and Maintenance of his known and un-'doubted Rights, if there ſhould be any Invaſion or 'Violation thereof, than to his High Court of Par-'liament. And in caſe thoſe wicked Counſellors 'about him ſhall drive him into any other Courſe, 'from and againſt his Parliament; whatever are his 'Majeſty's Expreſſions and Intentions, we ſhall 'appeal to all Men's Conſciences, and deſire that 'they would lay their Hands upon their Hearts, 'and think with themſelves, whether ſuch Perſons, 'as have of late, and ſtill do reſort to his Majeſty, 'and have his Ear and Favour moſt, either have 'been, or are more zealous Aſſertors of the true '*Proteſtant Profeſſion*, (although we believe they 'are more earneſt in the *Proteſtant Profeſſion*, than 'in the *Proteſtant Religion*) or of the Law of the 'Land, the Liberty of the Subject, and the Privi-'leges of Parliament, than the Members of both 'Houſes of Parliament, who are inſinuated to be 'the Deſerters, if not the Deſtroyers of them: 'And whether, if they could maſter this Parliament 'by Force, they would not hold up the ſame Power 'to deprive us of all Parliaments; which are the 'Ground and Pillar of the Subjects Liberty, and 'that which only maketh *England* a free Monarchy.

'For the *Order* of *Aſſiſtance* to the Committees 'of both Houſes; as they have no *Directions* or '*Inſtructions*, but what have the Law for their Li-

'mits,

'mits, and the Safety of the Land for their Ends; An. 18 Car. I. 1642. May.
'ſo we doubt not but all Perſons mentioned in that
'*Order*, and all his Majeſty's good Subjects will yield
'Obedience to his Majeſty's Authority ſignified
'therein by both Houſes of Parliament: And that all
'Men may the better know their Duty in Matters
'of that Nature, and upon how ſure a Ground
'they go that follow the Judgment of Parliament
'for their Guide, we wiſh them, judiciouſly, to
'conſider the true Meaning and Ground of that
'Statute, made in the Eleventh Year of *Henry* VII.
'Cap. 1. which is printed at large in the End of
'his Majeſty's *Meſſage* of the fourth of *May*—
'This Statute provides, *That none that ſhall attend*
'*upon the King, and do him true Service, ſhall be at-*
'*tainted or forfeit any Thing.* What was the Scope
'of this Statute? To provide that Men ſhould not
'ſuffer as Traitors for ſerving the King in his Wars,
'according to the Duty of their Allegiance? If this
'had been all, it had been a very needleſs and ri-
'diculous Statute. Was it then intended, (as they
'may ſeem to take the Meaning of it to be, that
'cauſed it to be printed after his Majeſty's *Meſſage*)
'that they ſhould be free from all Crime and Pe-
'nalty who ſhould follow the King, and ſerve him
'in War, *in any Caſe whatſoever*; whether it were
'*for* or *againſt* the *Kingdom*, and the *Laws* thereof?
'That cannot be, for that could not ſtand with
'the Duty of their Allegiance; which, in the Be-
'ginning of this Statute, is expreſſed to be, *to ſerve*
'*the King for the Time being in his Wars, for the*
'*Defence of him and the Land*; and therefore if it
'be *againſt* the *Land*, (as it cannot be underſtood
'to be *otherwiſe*, if it be *againſt* the *Parliament*,
'the Repreſentative Body of the Kingdom) it is a
'Declining from the Duty of Allegiance; which
'this Statute ſuppoſeth may be done, though Men
'ſhould follow the *King's Perſon* in the War: O-
'therwiſe there had been no Need of ſuch a Pro-
'viſo in the End of this Statute, *That none ſhould*
'*take Benefit thereby, that ſhould decline from their*
'*Allegiance.* That therefore which is the principal

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'View in this Statute, is, *The Serving of the King for the Time being*; which cannot be meant of a *Perkin Warbeck*, or any that ſhould *call himſelf* King; but ſuch a one as, whatever his Title might prove, either in himſelf or in his Anceſtors, ſhould be *received* and *acknowledged* for ſuch *by the Kingdom*, the Conſent whereof cannot be diſcerned but by Parliament; the Act whereof is the Act of the whole Kingdom, by the Perſonal Suffrage of the Peers, and the Delegate Conſent of all the Commons of *England*: And *Henry* VII. a wiſe King, conſidering that what was the Caſe of *Richard* III. his Predeceſſor, might, by Chance of Battle, be his own; and that he might at once, by ſuch a Statute as this, ſatisfy ſuch as had ſerved his Predeceſſor in his War, and alſo ſecure thoſe that ſhould ſerve him; who might otherwiſe fear to ſerve him in the Wars, leſt, by Chance of Battle, that might happen to him alſo, (if a Duke of *York* had ſet up a Title againſt him) which had happened to his Predeceſſor, he procured this Statute to be made, *That no Man ſhould be accounted a Traitor for ſerving the King in his Wars for the Time being*; that is, which was for *the preſent allowed and received by the Parliament on Behalf of the Kingdom*; and, as it is truly ſuggeſted in the Preamble of the Statute, it is not agreeable to Reaſon or Conſcience that it ſhould be otherwiſe; ſeeing Men would be put upon an Impoſſibility of knowing their Duty, if the Judgment of the Higheſt Court ſhould not be a Rule and Guide to them: And if the Judgment thereof ſhould be followed, where the Queſtion is, *Who is King?* Much more, *What is the beſt Service of the King and Kingdom?* And therefore thoſe that ſhall guide themſelves by the Judgment of Parliament, ought, whatever happen, to be ſecure and free from all Account and Penalties, upon the Grounds and Equity of this very Statute.

'We ſhall conclude: That although thoſe wicked Counſellors about his Majeſty have preſumed, 'under

'under his Majeſty's Name, to put that Diſhonour and Affront upon both Houſes of Parliament, as to make them the Countenancers of Treaſon; enough to have diſſolved all the Bands and Sinews of Confidence between his Majeſty and his Parliament, of whom the Maxim of the Law is, *That a diſhonourable Thing ought not to be imagined of them*; yet we doubt not but it ſhall, in the End, appear to all the World, that our Endeavours have been moſt hearty and ſincere, for the Maintenance of the true *Proteſtant* Religion, the King's *juſt Prerogative*, the *Laws* and *Liberties* of the *Land*, and the *Privileges* of *Parliament*; in which Endeavours, by the Grace of God, we will ſtill perſiſt, though we ſhould periſh in the Work; which, if it ſhould be, it is much to be feared, That *Religion*, *Laws*, *Liberties*, and *Parliaments*, would not be long-lived after us.

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May 27. This Day there was a Report made in the Houſe of Lords, of a Conference held the Day before, in which the Commons deſired, That ſince they were informed of the King's Reſolution to remove the next Term to *York*, ſome Courſe might be taken to prevent the Removal of the Records, at *Weſtminſter*, to that Place. Agreed to; and an *Order* was ſent to all the Keepers of the Records, for that Purpoſe.

Orders of Parliament againſt removing the Records to York.

They propoſed, That a Committee of Lords might be appointed to join with one of their Houſe, to conſider of ſome fit Means for the preſent Defence of the Kingdom. A Committee of twelve Lords was appointed accordingly.

They alſo informed the Lords that they had received Letters from Sir *John Hotham*, and others, by which their Lordſhips might ſee the Malignant Party were ſtill working Deſigns to diſturb the Peace of the Kingdom. Then a Letter from Sir *John Hotham* to Mr. *Hampden*, was read, dated *May* the twenty-fifth, containing a Deſign, by one *Beckwith* and others, to ſurprize the Town of *Hull*; alſo another from the Mayor of *Beverley*, to the

And for ſending for Deliquents.

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ſame Purpoſe. *Ordered*, That Mr. *Beckwith* ſhall be ſent for as a Delinquent.

The Lords examined ſeveral Meſſengers, ſent down to take into Cuſtody the Gentlemen who ſigned a late *Petition* to the King, againſt removing the Magazine from *Hull*. *(d)* Theſe declared, That they had ſerved them all with the *Order*, moſt of them perſonally; and that thoſe had ſhewn them the King's *Warrant* for not obeying that *Order*. A Copy of one of the *Warrants* was read as follows:

CHARLES *R.*

The King's Warrant, forbiding Obedience to the latter.

WE ſtrictly charge and command you, Francis Wortley, *Knt. upon your Allegiance, and upon Pain of our heavy Diſpleaſure, not to go or remove out of this County, upon any Occaſion or Command whatſoever; but to ſtay and abide therein, to attend our Service, as we ſhall direct. And hereby we likewiſe charge all our Subjects and Officers, of what Quality ſoever, to forbear arreſting or attaching you*, Francis Wortley, *as they will tender our Royal Reſentment at their Peril.*

Dated at our Court at *York*, *April* 28, 1642.

The ſame Day the Commons ſent up a Copy of ſome *Inſtructions* to the Committees of both Houſes, appointed to go down into *Lincolnſhire* and to *Hull*; which were agreed to by the Lords, and were as follows:

INSTRUCTIONS for Sir *Edward Ayſcough*, Knt. Sir *Chriſtopher Wray*, Sir *Anthony Irby*, Sir *John Wray*, Sir *William Armyn*, Mr. *Hatcher*, and Mr. *Broxholme*, Committees of the Houſe of Commons aſſembled in Parliament, or to any three of them.

Further Inſtructions from the Parliament, to their Commiſſioners in Lincolnſhire and at Hull.

I. *YOU ſhall, in the Name of us the Lords and Commons, declare and publiſh unto the Sheriff of the County of* Lincoln, *the Knights, Gentlemen, and others, his Majeſty's Subjects in that County, That Sir*

(d) This *Petition*, with the Names of the principal Subſcribers to it, is in our Tenth Volume, p. 454.

Sir John Hotham *was, by us, commanded to ſecure the Town of* Kingſton *upon* Hull, *and the Magazine there, for his Majeſty's Service and the Peace of the Kingdom; which, otherwiſe, would have been much endangered: And that, upon the ſame Reaſon, what hath ſince been there done by him, hath been neceſſary in purſuance of thoſe Directions; and is by us avowed, and approved of, as warranted by the Authority of Parliament.* An. 18. Car. I. 1642. May.

II. *You ſhall further take Care, that ſuch* Reſolutions *and* Orders *of both Houſes, as have been, or ſhall be, ſent down, be put in Execution; and ſhall require the Sheriff, Juſtices of Peace, and all other his Majeſty's Officers and loving Subjects, to be aiding and aſſiſting unto you for that Purpoſe.*

III. *You ſhall take Care, that no Forces be raiſed for the Forcing the Town of* Hull, *or otherwiſe to diſturb the Peace of the Kingdom: And, in caſe any be raiſed, you ſhall require the Sheriff, in the Name of both Houſes, to command them to diſperſe themſelves; and, if they refuſe ſo to do, that then the Sheriff, by the ſame Authority, forthwith raiſe the Power of the County for ſuppreſſing of them; and you ſhall likewiſe, by the ſame Authority, require the Lord Lieutenant appointed by the* Ordinance *of Parliament, and, in his Abſence, the Deputy-Lieutenants, to draw together the Trained-Bands, for the Aſſiſtance of the Sheriff in ſo doing.*

IV. *Becauſe it is not improbable that, under Pretence of raiſing a* Guard *for his* Majeſty's Perſon, *the Knights, Gentlemen, Freeholders, and others of the Inhabitants, may be drawn together in the County of* Lincoln, *as we hear they have been in other Places; you ſhall* declare *unto them and all others, That it hath ever been, and ſtill ſhall be, the chief Care and Endeavour of the Parliament to provide for his Majeſty's Safety: That they do not know of any Evil intended to his Royal Perſon, which ſhould move him to take ſuch a Courſe; That his greateſt Safety is in the Affection, Duty, and faithful Advice of his Parliament: And his greateſt Danger in thus Withdrawing himſelf from them, and proceeding in Ways contrary unto them*

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them; ſo that the diſaffected and malignant Party, under Colour of this Service, go about to raiſe a Faction and a Party againſt the Parliament; which, at laſt, may break out into open Rebellion, to the Deſtruction of the King and People, if it be not (through the Bleſſing of God) prevented by the Wiſdom and Authority of Parliament.

V. *That, in caſe there be a Neceſſity of raiſing the Forces of the County for the ſuppreſſing of any Inſurrection and keeping the Peace, you ſhall require Sir* John Hotham *to deliver ſuch Proportion of Arms and Ammunition out of the Magazine at* Hull, *as ſhall be neceſſary for that Service; and you ſhall* declare, *That the* Parliament *holds it lawful and neceſſary to diſpoſe of the public Magazines of the Kingdom, for the Defence of the Kingdom; as likewiſe for the Suppreſſion of the Rebellion in* Ireland, *which doth ſo much concern the Safety of this Kingdom: But that it is their Intention, and Reſolution, to ſtore them again; as holding it fit that ſuch a Preparation ſhould be in Readineſs, upon all Occaſions, for the Service of the King and Defence of the Common Wealth.*

VI. *You ſhall endeavour to clear the Proceedings of the Parliament, from all Imputations and Aſperſions; and ſhall, from Time to Time, certify us of all Things you conceive neceſſary for the preſent Service: And, that we may have a ſpeedy Account of it, and that our Directions to you, as well as your Advertiſements to us, may have a clear and ready Paſſage, you ſhall lay a ſtrict Charge upon all Poſtmaſters, that they do not ſuffer any Letters, or other Diſpatches, to or from the Parliament, to be intercepted or ſtayed: And, if any ſhall preſume to make ſuch Stay of thoſe Diſpatches, you ſhall direct the Poſtmaſters to repair to the Juſtices of the Peace, Conſtables, and all other Officers, for their Aid and Aſſiſtance; who are, hereby, required to take ſpecial Care there may be no ſuch Interruption.*

VII. *Thoſe of you that are Commiſſioners for* Hull *ſhall repair there, as often as you ſhall ſee it needful for the Preſervation of that Town.*

VIII. *You ſhall be careful to require the Lord* Willoughby *of* Parham, *Lord-Lieutenant of the County*

of

of Lincoln, *to ſend ſuch Numbers of the Trained-Bands and others, for the Safeguard of the Town of* Hull, *as you ſhall conceive to be needful; according to the* Order *made by both Houſes in that Behalf.* An. 18. Car. I. 1642. May.

IX. *You ſhall take the beſt Courſes that may be, that all needful Proviſions be ſent to the Supply of the Market at* Hull, *as it is uſual, without any Stop or Interruption by Water or Land.*

X. *And, if you ſhall find any diſaffected Perſons raiſing any Parties or Factions againſt the Parliament, or ſpreading any Scandals or Aſperſions upon their Proceedings, like to diſturb the Peace of the Kingdom; you ſhall cauſe all ſuch Perſons, upon good Proof of their Miſdemeanors, to be arreſted and ſent up to anſwer their Offences, as to Law and Juſtice ſhall appertain.*

XI. *You ſhall obſerve and execute all ſuch further Directions and Inſtructions, as you ſhall, from Time to Time, receive from both Houſes of Parliament.*

XII. *Whereas it doth appear to the Lords and Commons, that the King, ſeduced by wicked Counſel, intends to make War againſt the Parliament: Therefore, if any Perſon whatſoever ſhall endeavour to levy any Soldiers, or to draw together any of the Trained-Bands, by Colour or Pretence of any Commiſſions from his Majeſty, under the Great Seal or otherwiſe, you ſhall require a Copy of ſuch* Warrant *and* Command; *and you ſhall in the Name, and by the Authority, of both Houſes of Parliament, require ſuch Perſons to forbear the Execution of any ſuch: And you ſhall command and require all his Majeſty's Subjects to forbear to obey any ſuch Command, till you ſhall have ſent up the Copy thereof to the Parliament, and receive further Directions from the Lords and Commons therein: It is alſo* ordered *by the Lords and Commons in Parliament, That* Francis *Lord* Willoughby *of* Parham, *Lord-Lieutenant of the County of* Lincoln, *ſhall be careful, from Time to Time, to ſupply and relieve the Town of* Hull; *and that, upon any Letter or Requeſt made unto him by Sir* John Hotham, *Knt. and Bart. or any four of the Committee of both Houſes there reſiding.*

XIII.

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XIII. *Whereas, by* Order *of the Lords and Commons in Parliament, made the 28th Day of* April *laſt, the Earl of* Stamford, *the Lord* Willoughby *of* Parham, *Sir* Edward Ayſcough, *Sir* Chriſtopher Wray, *Sir* Samuel Owfield, *and Mr.* Hatcher, *were appointed to repair to the County of* Lincoln, *and from thence to* Kingſton *upon* Hull; *and, if there ſhould be Occaſion, to any other Part of* Yorkſhire, *for the Performance of certain* Inſtructions *therein expreſſed, as by that* Order, *and* Inſtructions *thereunto annexed, doth and may appear: It is this Day* ordered, *That the* former Order *above mentioned ſhall ſtill continue in Force, and that Sir* William Strickland, *Mr.* Allured, *Mr.* John Hotham, *Mr.* Peregrine Pelham, *and Mr.* Wharton, *ſhall be added to the former Committee; and that the ſaid Earl of* Stamford, *the Lord* Willoughby *of* Parham, *Sir* Edward Ayſcough, *Sir* Chriſtopher Wray, *Sir* Samuel Owfield, *Mr.* Hatcher, *Sir* William Strickland, *Mr.* Allured, *Mr.* John Hotham, *Mr.* Peregrine Pelham, *and Mr.* Wharton, *or any four of them, ſhall have full Power to put the ſaid forementioned* Order *and* Inſtructions *into Execution: As likewiſe the* Inſtructions under written, *and all* other Inſtructions *which they ſhall hereafter receive from both Houſes of Parliament.*

1ſt, *They ſhall aſſiſt Sir* John Hotham, *Knt. and Bart. Governor of* Hull, *with their beſt Counſel and Advice, and by all other Means, for the ſafe Keeping of that Town for the Security of the King and Kingdom, in ſuch Manner as ſhall be requiſite.*

2dly, *They ſhall take Care to write to the Lord-Lieutenant of* Lincolnſhire, *to ſend into* Hull, *for the Defence thereof, ſuch further Supplies of Trained-Bands and others, as they find needful for the Preſervation of the Town.*

3dly, *They ſhall be careful, That the Remainder of the Magazine, thought fit to be ſtayed there for the Defence of that Town, be preſerved from Waſtes and Embezzling; and that a perfect Account ſhall be kept of whatſoever Arms, Powder, or Ammunition, ſhall*

ſhall be taken out by Warrant from the Governor, and how the ſame is employed. An. 18. Car. I. 1642. May.

4thly, *If the Ships laden with the Magazine be not gone, you are to haſten it as much as may be, and you ſhall require the Captains of the other two Ships appointed for the better Security of* Hull *to remain there, and diligently to attend their Charge: And you ſhall let thoſe Captains know, as likewiſe the other Officers and the Companies of the ſaid Ships, how well their Readineſs in this Service of the King and Kingdom is taken by both Houſes of Parliament, and you ſhall give them therein all due and fit Encouragement.*

5thly, *Whereas there was, heretofore, an* Order *made, That* 500 *Arms, half of them Pikes and Corſlets, and the other half Muſkets, borrowed of the County of* Lincoln, *and employed in his Majeſty's Service at* Berwick, *ſhould be reſtored out of the Magazine at* Hull, *according to his Majeſty's Promiſe and Direction in that Behalf.*

6thly, *You ſhall deſire Sir* John Hotham *to give preſent Order that the like Number of Arms, that is,* 250 *Pikes and Corſlets, and* 250 *Muſkets, with Swords and other Furniture appertaining to ſo many Pikes, Corſlets, and Muſkets, ſhall be forthwith delivered to ſuch Perſon, or Perſons, as ſhall be appointed by the Lord-Lieutenant of the County of* Lincoln, *or any two of the Deputy Lieutenants thereof.*

A Committee appointed to conſider of Means to prevent a Civil War.

In the Afternoon of this Day (*May* 27.) a *Meſſage* was brought up from the Houſe of Commons, to deſire that the Joint-Committee, before appointed to conſider of proper Means for the preſent Defence of the Kingdom, might have Power to take into Conſideration all Things to procure and preſerve the Peace thereof, and to prevent a Civil War. Agreed to by the Lords:——Accordingly,

The next Day the Earl of *Northumberland*, from the ſaid Committee, exhibited a Draught of ſome *Propoſitions*, fit to be preſented to the King; which were commanded to be read, and ſome Alterations were made in them. They were then but fourteen in all, but being ſent down to the Commons, they were

An. 18. Car. I. 1642. May. were by them increaſed to nineteen Articles, as will be ſhewn in their proper Place.

An *Order* was agreed to by both Houſes, directed to the Sheriffs and others of the ſeveral Counties, within 150 Miles of *York*, to take Care to ſtop all Arms and Ammunition carrying to that Place. Likewiſe another to ſuppreſs the Raiſing and Coming together of any Soldiers, Horſe or Foot, by any *Warrant*, *Order*, or *Commiſſion*, from the *King*, &c. The Preamble to theſe *Orders* begins thus. *Whereas it appears that the King, ſeduced by wicked Counſel, intends to make War againſt his Parliament, and, under Colour of a Guard, doth command Troops, both of Horſe and Foot, to aſſemble at* York, &c. (*e*)

Orders to ſtop all Arms and Ammunition going to York.

May 30. The Lords were informed by the Lord Admiral, That he had received a Letter from the Earl of *Warwick*, by the Captains of the Ships which brought the Magazine from *Hull* to *London*, that the ſaid Captains deſire to be diſcharged from any further Care of it; and he moved that a Warrant might be granted for receiving the ſaid Magazine into the *Tower*. The Captains were called in, and, after having the Thanks of the Lords, for their Care and Diligence in this Matter, they were recommended, with their Seamen, to the Commons, for ſome Gratuity, to encourage others to do the like.

The Magazine of Hull brought to London.

A *Petition* from the Lord-Keeper *Littleton* was read, which was in theſe Words:

To the Right Honourable the LORDS aſſembled in Parliament,

The HUMBLE PETITION of EDWARD LITTLETON, Lord-Keeper of the Great Seal,

Sheweth,

Lord Keeper Littleton's Petition to the Lords.

THAT, *in his Perſon, he is very willing to ſubmit to your Lordſhips* Order *of the twenty-third of this Inſtant* May, *ſo far as is poſſible for him to perform*

(*e*) Theſe *Orders* are at length in *Ruſhworth*, Vol. IV. p. 721, 2. and in *Husband's Collections*, p. 399. &c.

form, he being in ſo weak a Condition of Body, as appears by the Affidavit *annexed, that he is not able to travel towards* Weſtminſter *without Danger of his Life: And further beſeecheth your Lordſhips to be informed of this Truth, That* Saturday *laſt, about Two o'Clock in the Afternoon, was the firſt Time that he ever heard of his going to* York; *when he received his Majeſty's Commands, under his Sign Manual and Privy Signet, to take his Journey immediately, without Reply or Delay, towards* York. *and keep the ſame ſecret, whereunto he was enjoin'd upon his Allegiance and Fidelity, and other Obligations; which he taking into his Conſideration, with his Oaths formerly taken, conceived he was bound in Conſcience to obey; and doth humbly beg your Lordſhips Pardon for not aſking Leave, which he could not poſſibly do, the Houſe not ſitting till* Monday, *and himſelf enjoin'd to take his Journey inſtantly. And he further taketh the Boldneſs to inform your Lordſhips, That the King's Majeſty hath expreſly commanded him, upon his Allegiance, not to depart from him. And,* laſtly, *beſeecheth your Lordſhips to continue him in your good Opinion untill he ſhall adviſe, or conſent unto, any thing againſt the public Good of this Common-Wealth; and he ſhall daily pray for your Lordſhips Increaſe of Happineſs. (f)* EDW. LITTLETON. An. 18. Car. I. 1642. May.

The AFFIDAVIT *above referred to.*

'TObias *Peaker*, Servant to the Lord-Keeper, 'maketh Oath, That upon *Monday* Night laſt, 'being the 23d Day of this Inſtant *May*, he conceiv'd that his Lord would then have died; and that 'he is at preſent troubled with divers Infirmities and 'Diſeaſes, ſo that he is not able to travel without 'endangering of his Life.'

The Conſideration of this *Petition* was deferred to another Time.

Then

(f) The Allegations in this *Petition*, compared with the foregoing *Narrative* of what paſs'd between the Lord-Keeper and Mr. *Hyde*, previous to their Journey to *York*, fully evidence his Lordſhip to have been no bad Politician.

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Then the Lord *Wharton*, Speaker of the Houſe of Peers in the Abſence of the Lord Keeper, acquainted the Lords that he had received a *Letter* from the King, commanding him to communicate the incloſed to them; which was an *Anſwer* to a *Petition* of both Houſes, concerning the disbanding of his Guard, which had been preſented to him at *York*, *May* 22, along with thoſe *Votes* of both Houſes wherein it was *declared*, That the King intended to make War againſt the Parliament.——The *Anſwer* was in theſe Words:

The King's Anſwer to the Parliament's Petition for diſbanding his Guard.

'WE cannot but extreamly wonder, that the cauſeleſs Jealouſies concerning us, raiſed and fomented by a Malignant Party in this Kingdom, which deſires nothing more than to ſnatch to themſelves particular Advantages out of a general Combuſtion, (which Means of Advantage ſhall never be miniſtred to them by our Fault or Seeking) ſhould not only be able to ſeduce a weak Party in this our Kingdom, but ſeem to find ſo much Countenance even from both Houſes; as that our Raiſing of a Guard, without further Deſign than for the Safety of our Perſon, (an Action ſo legal, in Manner ſo peaceable, upon Cauſes ſo evident and neceſſary) ſhould not only be looked upon, and petitioned againſt by them, as a Cauſe of Jealouſy, but declared to be the Raiſing of a War againſt them, contrary to our former Profeſſions of our Care of Religion and Law. And we no leſs wonder, that this Action of ours ſhould be ſaid (in a very large Expreſſion) *to be apprehended by the Inhabitants of this Country, as an Affrightment and Diſturbance to our People*, having been as well received here, as it is every where to be juſtified; and (we ſpeak now of the General, not of a few ſeduced Particulars) aſſiſted and ſped by this Country, with that loyal Affection and Alacrity as is a moſt excellent Example ſet to the reſt of the Kingdom, of their Care of our Safety upon all Occaſions; and ſhall never be forgotten by us, nor, we hope, by our Poſterity; but ſhall be ever paid

'paid to them in that which is the proper Ex- An. 18. Car. I.
'preſſion of a Prince's Gratitude, a perpetual vigi- 1642.
'lant Care to govern them juſtly, and to preſerve May.
'the only Rule by which they can be ſo governed,
'the Law of the Land. And we are confident,
'that if you were yourſelves Eye-Witneſſes, you
'would ſo ſee the contrary, as to give little preſent
'Thanks, and hereafter little Credit, to your In-
'formers: And if you have no better Intelligence
'of the Inclinations and Affections of the reſt of the
'Kingdom, certainly the Minds of our People
'(which to ſome Ends and Purpoſes you repreſent)
'are but ill repreſented unto you.

'Have you, ſo many Months together, not con-
'tented yourſelves to rely for Security (as your Pre-
'deceſſors have done) upon the Affection of the
'People; but, by your own ſingle Authority, raiſed
'to yourſelves a Guard, and that ſometimes of no
'ordinary Numbers, and in no ordinary Way; and
'could not all thoſe Pikes and Proteſtations, that
'Army on one Side, and that Navy on the other,
'perſuade us to command you to diſband your
'Forces, and to content yourſelves with your or-
'dinary (that is, with no) Guard; or work in us
'an Opinion, that you appeared to levy War
'againſt us, or had any further Deſign? And is it
'poſſible that the ſame Perſons ſhould be ſo apt to
'ſuſpect and condemn us, who have been ſo unapt,
'in the ſame Matter, (upon much more Ground)
'to tax or ſuſpect them? This is our Caſe, not-
'withſtanding the Care and Fidelity of our Parlia-
'ment; our Fort is kept by armed Men, againſt us;
'our proper Goods, firſt detained from us, and
'then, contrary to our Command, by ſtrong Hand,
'offered to be carried away; in which, at once,
'all our Property, as a private Perſon, and all our
'Authority, as a King, are wreſted from us: And
'yet for us to ſecure ourſelf in a legal Way, that
'Sir *John Hotham* may not by the ſame Forces, or
'by more raiſed by Pretence of the ſame Autho-
'rity, (for they ſay he raiſeth daily ſome, and we
'know it no new Thing for him to pretend Orders

'that

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'that he cannot ſhew) continue the War that he 'hath levied againſt us, and as well impriſon our 'Perſon, as detain our Goods; and as well ſhut us 'up in *York*, as ſhut us out of *Hull*, is ſaid to be '*eſteemed a Cauſe of great Jealouſy to the Parlia-* '*ment*; *a Raiſing War againſt them*; *and of Dan-* '*ger to the whole Kingdom*; while theſe Injuſtices 'and Indignities offered to us are countenanced by 'them, who ought to be moſt forward in our Vin- 'dication and their Puniſhment, in Obſervance of 'their Oaths and of the Truſt repoſed in them by 'the People, and to avoid the Diſſolution of the 'preſent Government: Upon which Caſe the 'whole World is to judge, whether we had not 'Reaſon, not wholly to rely upon the Care and 'Fidelity of our Parliament, (being ſo ſtrangely 'blinded by malignant Spirits, as not to perceive 'our Injuries) but to take ſome Care of our own 'Perſon; and, in order to that, to make Uſe of 'that Authority which the Laws declare to be in 'us: And whether this *Petition*, with ſuch a 'threatening Concluſion, accompanied with more 'threatening *Votes*, gives us not Cauſe rather to in- 'creaſe than diminiſh our Guard; eſpecially ſince 'we ſaw, before the *Petition*, a *printed Paper*, dated 'the 17th of *May*, underwritten, *Hen. Elſing, Cler.* '*Parl. D. Com.* commanding, in the Name of both 'Lords and Commons, the Sheriffs of all our Coun- 'ties to raiſe the Power of all thoſe our Counties; 'to ſuppreſs ſuch of our Subjects, as, by any of our 'Commands, ſhall be drawn together, and put (as 'that *Paper* calls it) in a Poſture of War; charging 'our Officers and Subjects to aſſiſt them in the Per- 'formance thereof, at their Perils: For though we 'cannot ſuſpect that this *Paper* (or any bare *Votes*, 'not grounded upon Law or Reaſon, or Quota- 'tion of repealed Statutes) ſhould have any ill In- 'fluence upon our good People; who know their 'Duties too well, not to know, That to take up 'Arms againſt thoſe, who, upon a legal Command, '(that is, ours) come together to a moſt legal End, '(that is, our Security and Preſervation) were to

'levy

'levy War againſt us; and who appear in this 'County (and we are confident they are ſo through-'out the Kingdom) no leſs ſatisfied with the Lega-'lity, Conveniency, and Neceſſity of theſe our 'Guards, and no leſs ſenſible of the Indignities and 'Dangers which makes it neceſſary, than we are 'ourſelf; yet if that *Paper* be really the Act of 'both Houſes, we cannot look upon it, but as the 'higheſt of Scorns and Indignities; firſt, to iſſue 'Commands of Force againſt us, and, after thoſe 'have appeared uſeleſs, to offer, by *Petition*, to 'perſuade us to that which that Force ſhould have 'effected. An. 18. Car. I. 1642. May.

'We conclude this *Anſwer* to your *Petition*, 'with our Counſel to you, That you join with us 'in exacting Satisfaction for that unparallel'd, and 'yet unpuniſhed, Action of Sir *John Hotham*; 'and that you command our Fort and Goods to 'be returned to our own Hands: That you lay 'down all Pretences (under Pretence of Neceſſity, 'or declaring what is Law) to make Laws without 'us, and, by conſequence, make a Cypher of us: 'That you declare effectually againſt Tumults, 'and call in ſuch Pamphlets (puniſhing the Authors 'and Publiſhers of them) as, ſeditiouſly, endeavour 'to diſable us from protecting our People; by weak-'ening, by falſe Aſperſions, and new falſe Doctrines, 'our Authority with them, and their Confidence 'in us. The Particulars of which Tumults and 'Pamphlets we would, long ſince, have taken Care 'that our learned Counſel ſhould have been enabled 'to give in Evidence, if, upon our former Offer, 'we had received any Return of Encouragement 'from you in it. And if you do this, you then '(and hardly till then) will perſuade the World, '*That you have diſcharged your Duty to God, the 'Truſt repoſed in you by the People, and the Funda-'mental Laws and Conſtitutions of the Kingdom, and 'employed your Care and utmoſt Power to ſecure the* 'Parliament, (for we are ſtill a Part of the Parlia-'ment, and ſhall be, till this well-founded Monar-

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'chy be turned to a Democracy) *and to preſerve the* 'Peace and Quiet of the Kingdom; which, together 'with the Defence of the *Proteſtant* Profeſſion, the 'Laws of the Land, and our own juſt Prerogative, '(as a Part of and a Defence to thoſe Laws) have 'been the main End, which, in our Conſultations 'and Actions, we propoſed to ourſelf.'

The ſame Day Mr. *Pickering*, a Meſſenger, declared, upon Oath, what Lords he ſaw at *York*, and what he met going thither (*g*); on which it was *order'd*, That the ſaid Lords ſhould be ſent for to appear here, on the 8th Day of *June* next, or elſe the Houſe would proceed to give Judgment againſt them for their Offence.

May 31. Both the Houſes had been buſy ſome Time, in putting into Execution their *Ordinance* for raiſing the *Militia*, in all the Southern Counties of *England*; and they, every Day, received Intelligence of the different Muſters made of them. Several Accounts of which are in this Day's Tranſactions of the Lords, but nothing elſe of Moment done by them.

A Committee appointed to borrow Money of the Citizens of London.

The Commons being ſtill in great Diſtreſs for Want of Money, it was this Day *ordered*, That a Meſſage be ſent to the Lords, to deſire that a Committee of both Houſes might be appointed to go to the City, and repreſent to them the great Neceſſity they were in, at this Time, for preſent Money; to inform them of the Sum required, and the Security for it; and to deſire that theſe Neceſſities might be recommended to the particular Wards of the City. *Ordered*, alſo, That ſome Members of this Houſe be ſent to the Lord Mayor, to deſire him to call a Common Hall, to meet on *Thurſday* next, the ſecond of *June*.

June

(*g*) The Earls of *Monmouth* and *Devonſhire*, the Lords *Grey de Rutbyn*, *Howard de Charlton*, and *Capel*, after having entered their Diſſents againſt the *Declaration* of the 26th of *May*, left the Houſe, and join'd the King at *York*. The Names of the other Lords who had gone off ſome Time before, appears by the foregoing Liſt.

June 1. At a Conference, the Commons exhibited an *Order* they had made againſt the Pawning or Selling the Jewels of the Crown: To this the Lords agreed; an Abſtract of which is as follows: An. 18. Car. I. 1642. June.

Order of Parliament againſt the King's diſpoſing of the Jewels of the Crown.

'Whereas it doth appear to the Lords and Commons in Parliament, That the King, ſeduced by wicked Counſel, doth intend to levy War againſt his Parliament; and that the Jewels of the Crown, which, by the Laws of the Land ought not to be alienated, are either pawned or ſold in *Amſterdam*, or ſome other Parts abroad; and thereby great Sums of Money provided, to be returned to *York*, to the King's Servants, or Agents, for his Uſe. And whereas it is more than probable, that this great Proviſion of Money, in ſuch an extraordinary Way, is to maintain their intended War, and thereby to bring the whole Kingdom into utter Ruin and Confuſion: It is therefore *declared*, by the Lords and Commons in Parliament, that whoſoever hath been, or ſhall be, an Actor in the Selling or Pawning any of the ſaid Jewels, or ſhall bring any Money in Specie into the Kingdom, or ſhall accept of any Bill from abroad, for the Payment of any Sum of Money for or upon any of thoſe Jewels, and ſhall pay ſuch Sum according to ſuch Bill, after Notice of this *Order*, *&c.* ſuch Perſon ſhall be held a Promoter of this preſent War, and an Enemy to the State; and ought to give Satisfaction, out of his own Eſtate, to the Public.'

Ordered, alſo, That the Lord-Admiral be required to ſend two Ships of War to lie at *Scarbrough* and *Tinmouth*, to ſearch all Ships for Arms and Ammunition, coming from foreign Parts without Conſent and Privity of both Houſes of Parliament.

A Committee of Lords and Commons were ordered to go to the Common-Hall of the City, as this Day, for a conſiderable Loan of Money from the Citizens; the Sum not mentioned.

This Day, alſo, a *Petition*, with Nineteen *Propoſitions* annexed, was agreed on, by both Houſes, to be

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ſent to their Committee at *York*, to be by them preſented to the King, as a Foundation for a final End of all Differences between them. All which ran *in hæc Verba:*

The HUMBLE PETITION *and* ADVICE *of both Houſes of* PARLIAMENT, *with Nineteen* PROPOSITIONS *ſent unto his* MAJESTY, *the third of* June, 1642.

Their Nineteen Propoſitions to the King.

'YOUR Majeſty's moſt humble and faithful Subjects, the Lords and Commons in Parliament, having nothing in their Thoughts and Deſires more precious and of higher Eſteem (next to the Honour and immediate Service of God) than the juſt and faithful Performance of their Duty to your Majeſty and this Kingdom; and being very ſenſible of the great Diſtractions and Diſtempers, and of the imminent Dangers and Calamities which thoſe Diſtractions and Diſtempers are like to bring upon your Majeſty and your Subjects: All which have proceeded from the ſubtle Inſinuations, miſchievous Practices, and evil Counſels of Men diſaffected to God's true Religion, your Majeſty's Honour and Safety, and the Public Peace and Proſperity of your People; after a ſerious Obſervation of the Cauſes of thoſe Miſchiefs, do, in all Humility and Sincerity, preſent to your Majeſty their moſt dutiful Petition and Advice, That out of your princely Wiſdom, for the eſtabliſhing your own Honour and Safety, and gracious Tenderneſs of the Welfare and Security of your Subjects and Dominions, you will be pleaſed to grant and accept theſe their humble Deſires and Propoſitions; as the moſt neceſſary and effectual Means, thro' God's Bleſſing, of removing thoſe Jealouſies and Differences which have unhappily fallen betwixt you and your People, and procuring both your Majeſty and them a conſtant Courſe of Honour, Peace, and Happineſs.

I. *That the Lords and others of your Majeſty's Privy Council, and ſuch great Officers and Miniſters of State, either*

either at home or beyond the Seas, may be put from your Privy Council, and from thoſe Offices and Employments, excepting ſuch as ſhall be approved of by both Houſes of Parliament; and that the Perſons put into Places and Employments of thoſe that are removed, may be approved of by both Houſes of Parliament; and that all Privy Counſellors ſhall take an Oath for the due Execution of their Places, in ſuch Form as ſhall be agreed upon by both Houſes of Parliament. An. 18. Car. I. 1642. June.

II. *That the great Affairs of the Kingdom may not be concluded or tranſacted by the Advice of private Men, or by any unknown or unſworn Counſellors; but that ſuch Matters as concern the Public, and are proper for the High Court of Parliament, which is your Majeſty's great and ſupreme Council, may be debated, reſolved, and tranſacted only in Parliament, and not elſewhere; and ſuch as ſhall preſume to do any thing to the contrary, ſhall be reſerved to the Cenſure and Judgment of Parliament: And ſuch other Matters of State as are proper for your Majeſty's Privy Council, ſhall be debated and concluded by ſuch of the Nobility and others as ſhall, from Time to Time, be choſen for that Place, by Approbation of both Houſes of Parliament. That no public Act concerning the Affairs of the Kingdom, which are proper for your Privy Council, may be eſteemed of any Validity, as proceeding from the Royal Authority, unleſs it be done by the Advice and Conſent of the major Part of your Council, atteſted under their Hands: And that your Council may be limited to a certain Number, not exceeding twenty-five, nor under fifteen; and if any Counſellor's Place happen to be void in the Intervals of Parliament, it ſhall not be ſupplied without the Aſſent of the major Part of the Council; which Choice ſhall be confirmed at the next Sitting of the Parliament, or elſe to be void.*

III. *That the Lord High Steward of* England, *Lord High Conſtable, Lord Chancellor or Lord Keeper of the Great Seal, Lord Treaſurer, Lord Privy Seal, the Earl Marſhal, Lord Admiral, Warden of the* Cinque-Ports, *Chief Governor of* Ireland, *Chancel-*

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lor of the Exchequer, *Maſter of the Wards, Secretaries of State, two Chief Juſtices and Chief Baron, may be always choſen with the Approbation of both Houſes of Parliament; and, in the Intervals of Parliament, by Aſſent of the major Part of the Council, in ſuch Manner as is before expreſſed in the Choice of Counſellors.*

IV. *That he, or they, unto whom the Government and Education of the King's Children ſhall be committed, ſhall be approved of by both Houſes of Parliament; and, in the Intervals of Parliament, by the Aſſent of the major Part of the Council, in ſuch Manner as is before expreſſed in the Choice of Counſellors: And that all ſuch Servants as are now about them, againſt whom both Houſes ſhall have any juſt Exception, ſhall be removed.*

V. *That no Marriage ſhall be concluded or treated, for any of the King's Children, with any foreign Prince, or other Perſon whatſoever abroad, or at home, without the Conſent of Parliament; under the Penalty of a Premunire unto ſuch, as ſhall ſo conclude or treat any Marriage as aforeſaid. And that the ſaid Penalty ſhall not be pardoned or diſpenſed with, but by the Conſent of both Houſes of Parliament.*

VI. *That the Laws in Force againſt* Jeſuits, Prieſts, *and* Popiſh Recuſants, *be ſtrictly put in Execution, without any Toleration or Diſpenſation to the contrary; and that ſome more effectual Courſe may be enacted, by Authority of Parliament, to diſable them from making any Diſturbance in the State, or eluding the Law by Truſts, or otherwiſe.*

VII. *That the Votes of* Popiſh *Lords in the Houſe of Peers may be taken away, ſo long as they continue* Papiſts; *and that his Majeſty would conſent to ſuch a Bill as ſhall be drawn, for the Education of the Children of* Papiſts *by* Proteſtants *in the* Proteſtant *Religion.*

VIII. *That your Majeſty will be pleaſed to conſent, That ſuch a Reformation may be made of the Church-Government and Liturgy, as both Houſes of Parliament ſhall adviſe, wherein they intend to have Conſultations with Divines, as is expreſſed in the* Declaration *to that Purpoſe; and that your Majeſty will con-*

contribute your beſt Aſſiſtance to them for the Raiſing of a ſufficient Maintenance for preaching Miniſters throughout the Kingdom: And that your Majeſty will be pleaſed to give your Conſent to Laws for the taking away of Innovations and Superſtition, and of Pluralities, and againſt ſcandalous Miniſters. An. 18. Car. I. 1642. June.

IX. *That your Majeſty will be pleaſed to reſt ſatisfied with that Courſe that the Lords and Commons have appointed for ordering the* Militia, *untill the ſame ſhall be further ſettled by a Bill; and that you will recall your* Declarations *and* Proclamations *againſt the* Ordinance *made by the Lords and Commons concerning it.*

X. *That ſuch Members of either Houſe of Parliament as have, during this preſent Parliament, been put out of any Place and Office, may either be reſtored to that Place and Office, or otherwiſe have Satisfaction for the ſame, upon the Petition of that Houſe whereof he or they are Members.*

XI. *That all Privy Counſellors and Judges may take an Oath, the Form whereof to be agreed on, and ſettled by Act of Parliament, for the Maintaining of the* Petition of Right, *and of certain Statutes made by the Parliament, which ſhall be mentioned by both Houſes of Parliament: And that an Inquiry of all the Breaches and Violations of thoſe Laws may be given in Charge, by the Juſtices of the* King's-Bench, *every Term, and by the Judges of Aſſize in their Circuits, and Juſtices of Peace at the Seſſions, to be preſented and puniſhed according to Law.*

XII. *That all the Judges and all Officers, placed by Approbation of both Houſes of Parliament, may hold their Places,* Quamdiu bene ſe geſſerint.

XIII. *That the Juſtice of Parliament may paſs upon all Delinquents, whether they be within the Kingdom, or fled out of it: And that all Perſons cited by either Houſe of Parliament, may appear and abide the Cenſure of Parliament.*

XIV. *That the General Pardon, offered by your Majeſty, may be granted with ſuch Exceptions as ſhall be adviſed by both Houſes of Parliament.*

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XV. *That the Forts and Caſtles of this Kingdom may be put under the Command and Cuſtody of ſuch Perſons, as your Majeſty ſhall appoint, with the Approbation of your Parliament; and, in the Intervals of Parliament, with the Approbation of the major Part of the Council, in ſuch Manner as is before expreſſed in the Choice of Counſellors.*

XVI. *That the extraordinary Guards, and Military Forces, now attending your Majeſty, may be removed and diſcharged; and that, for the future, you will raiſe no ſuch Guards, or extraordinary Forces, but according to the Law, in caſe of actual Rebellion or Invaſion.*

XVII. *That your Majeſty will be pleaſed to enter into a more ſtrict Alliance with the States of the* United Provinces, *and other neighbouring Princes and States of the* Proteſtant *Religion, for the Defence and Maintenance thereof againſt all Deſigns and Attempts of the* Pope *and his Adherents to ſubvert and ſuppreſs it; whereby your Majeſty will obtain a great Acceſs of Strength and Reputation, and your Subjects be much encouraged and enabled, in a Parliamentary Way, for your Aid and Aſſiſtance, in reſtoring your Royal Siſter and her Princely Iſſue to thoſe Dignities and Dominions which belong unto them, and relieving the other diſtreſſed* Proteſtant *Princes who have ſuffered in the ſame Cauſe.*

XVIII. *That your Majeſty will be pleaſed, by Act of Parliament, to clear the Lord* Kimbolton *and the five Members of the Houſe of Commons, in ſuch Manner that future Parliaments may be ſecured from the Conſequence of that evil Precedent.*

XIX. *That your Majeſty will be graciouſly pleaſed to paſs a Bill,* For reſtraining Peers made hereafter from ſitting or voting in Parliament, *unleſs they be admitted thereunto with the Conſent of both Houſes of Parliament.*

'And theſe our humble Deſires being granted by 'your Majeſty, we ſhall forthwith apply ourſelves 'to regulate your preſent Revenue, in ſuch Sort as 'may

'may be for your beſt Advantage; and likewiſe 'to ſettle ſuch an ordinary and conſtant Increaſe of 'it as ſhall be ſufficient to ſupport your Royal Dig- 'nity in Honour and Plenty, beyond the Propor- 'tion of any former Grants of the Subjects of this 'Kingdom to your Majeſty's Royal Predeceſſors. 'We ſhall likewiſe put the Town of *Hull* into ſuch 'Hands as your Majeſty ſhall appoint, with the 'Conſent and Approbation of Parliament, and de- 'liver up a juſt Account of all the Magazine; and 'chearfully employ the uttermoſt of our Power 'and Endeavour, in the real Expreſſion and Per- 'formance of our moſt dutiful and loyal Affections, 'for preſerving and maintaining the Royal Ho- 'nour, Greatneſs, and Safety of your Majeſty and 'of your Poſterity.'

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June 2. Nothing but a private Cauſe heard in the Houſe of Lords.

The Commons ordered all their Members to be ſummoned to appear in the Houſe by the 16th of this Month, under a Penalty of 100 *l.* for each Abſenter, to be employed in the Wars of *Ireland*. Their Committee at *York* were alſo required to order all the Members who were there, without Leave of the Houſe, to return to their Duty in Parliament; and to declare to them That their Going away at this Time, and Continuance at *York*, is a great Affront to the Houſe, and a Countenancing of the War intended againſt the Parliament.

The Commons order all their Members to be ſummoned,

June 3. The Committee ſent into the City to borrow Money, for the Service of *Ireland*, reported, That the Citizens expreſſed great Chearfulneſs and Forwardneſs to further the Supply, and had promiſed to raiſe 100,000 *l.* with all Speed.

The Earls of *Northumberland* and *Pembroke* exhibited Letters from the King, commanding their Attendance on him at *York*; which the Lords thought proper to forbid, and ordered them the Thanks

And the Lords forbid any of theirs going to the King.

An. 18. Car. I. 1642. June. Thanks of the Houſe for their Reſpect in this Matter. A *Declaration* was alſo ordered to be drawn up, ſetting forth the evil Tendency of the King's ſending for ſeveral of the Lords to *York*; with the ill Conſequences and Dangers thereof.

Bill paſſed for calling an Aſſembly of Divines. This Day, alſo, the Lords read, a third Time, a Bill, *For the Calling an Aſſembly of learned Divines, to be conſulted with by Parliament, for the Settling the Government and Liturgy of the Church, and for the Vindicating and Clearing the Doctrine of the Church of* England *from falſe Aſperſions and Interpretations*. On the Queſtion, *reſolved*, That the Bill do paſs.

The Parliament borrow 100,000*l.* from the Citizens of London. *June* 4. An *Ordinance* of Parliament, as a Security to ſeveral Companies and Citizens of the City of *London*, for their late Loan of 100,000 *l.* at 8 *per Cent.* was agreed to by the Lords; which has this Preamble:

'Whereas, amongſt many other great and unexpreſſible Bleſſings of Almighty God upon this Parliament, it hath pleaſed him to ſtir up the Hearts of many good and well-affected People, to yield their willing and ready Help and Aſſiſtance to the Supply of the great and preſſing Neceſſities of this Kingdom and the Kingdom of *Ireland*; in which pious and charitable Work the Citizens of *London*, by their ſingular Forwardneſs and good Affection, have been exemplary to all other Parts of this Kingdom; and, in Times of great Exigence and Neceſſity, have lent and advanced great Sums to the Public Uſe; and, as well by their Purſes and Perſons as other memorable Services, contributed their effectual Help to the Parliament, for the Support of this State and Kingdom from apparent Danger and Deſtruction: And whereas the ſaid Citizens, in further Manifeſtation of their conſtant Fidelity and true Affection to the Public, have now again been moved to lend, *&c.*'

An

An *Order* was made for the Earl of *Warwick*, and all Sea Officers and Commanders under him, to ſearch all Sorts of Veſſels on the *Iriſh* Coaſts, ſuſpected to carry any Supplies of Men, Money, Ammunition, Victuals, Cloaths, *&c.* to ſupply the bloody and barbarous Rebels in that Kingdom. An. 18. Car. I. 1642. June. An Order to ſtop all Supplies for the Iriſh Rebels,

And, further to preſerve the Peace of this Kingdom, the following *Ordinance* of Parliament was this Day agreed to, by which may be underſtood the *Reſolutions* of both Houſes at this Time:

DIE SABBATI, 4° *Junii*, 1642.

'IT is this Day *ordered* by the Lords and Commons in Parliament, That the *Deputy Lieutenants* of the ſeveral and reſpective Counties, within the Kingdom of *England* and Dominion of *Wales*, that are not Members of the Houſe of Commons, be hereby required and enjoined to be preſent at the Days and Places, which are or ſhall hereafter be appointed by the *Lord-Lieutenants*, or their Deputies, for the Training, Muſtering, and Exerciſing of the Inhabitants of the ſaid Counties; according to the Authority given unto them by an *Ordinance* of both Houſes of Parliament. And for exerciſing the Militia.

'And it is further *ordered* that all *Deputy-Lieutenants*, as well thoſe that are Members of the Houſe of Commons as others, ſhall give ſuch Diſpatch by preparing of *Warrants*, *Commiſſions*, or *Letters*, and ſubſcribing of the ſame, as the Service ſhall require: And for ſuch as ſhall refuſe, or neglect ſo to do, that their Names be certified unto us by their Fellow-Deputies, or any one of them, that ſhall or do perform the ſaid Service.

'And it is further *declared*, That it is the Intention of both Houſes, for the better Encouragement of ſo good a Work, ſo much conducing to the Safety of his Majeſty's Perſon and Kingdoms, that ſome of their Members at the Times and Places appointed, or to be appointed, for the Execution of the ſaid *Ordinance*, ſhall be ſent down to give their Perſonal Attendance upon the ſaid Service.'

About

An. 18. Car. I. 1642. June.

About this Time the King publiſhed his *Anſwer* to the Parliament's *Remonſtrance* of the 26th of *May* laſt; which was as follows: (*b*)

The King's Anſwer to the Parliament's Remonſtrance of the 26th of May.

'THough whoſoever looks over the late *Remonſtrance*, entituled, *A* Declaration *of the Lords and Commons, of the* 26*th of* May, will not think we have much Reaſon to be pleaſed with it; yet we cannot but commend the *plain Dealing* and *Ingenuity* of the *Framers* and *Contrivers* of that *Declaration*, (which hath been wrought in a hotter and quicker Forge than any of the reſt) who would no longer ſuffer us to be affronted, by being told, *They would make us a Great and Glorious King*, whilſt they uſed all poſſible Skill to reduce us to *extreme Want* and *Indigency*; and that *They would make us to be loved at home, and feared abroad*, whilſt they endeavoured, by all poſſible Ways to render us *odious* to our good *Subjects*, and *contemptible* to all *foreign Princes*; but, like round-dealing Men, tell us in plain *Engliſh*, *That they have done us no Wrong, becauſe we are not capable of receiving any*; and *That they have taken nothing from us, becauſe we had never any thing of our own to loſe*. If this Doctrine be true, and that indeed we ought to be of no other Conſideration than they have informed our People in that *Declaration*, that Gentleman is much more excuſable, that ſaid publickly (unreproved) *That the Happineſs of this Kingdom doth not depend on us, or upon any of the Royal Branches of that Root*; and the other, who ſaid, *We were not worthy to be King of* England: Language very monſtrous to be allowed by either Houſe of Parliament, and of which, by the Help of God and the Law, we muſt have ſome Examination. But we doubt not, all our good Subjects do now plainly diſcern, through the *Maſk* and

(*b*) In *Barker*, the King's Printer's, Edition of *This Anſwer*, not only the Paſſages, cited from the *Parliament's Remonſtrance* of the 26th of *May*, are varied in the Manner of Printing; but alſo the moſt *emphatical Words* in the Courſe of the Argument: We therefore endeavoured the ſame Method in this *Remonſtrance* before given.

'and *Vizard* of their *Hypocriſy*, what their Deſign An. 18. Car. I.
'is; and will no more look upon the *Framers* and 1642.
'*Contrivers* of that *Declaration* as *both Houſes of* June.
'*Parliament*, (whoſe Freedom and juſt Privileges
'we will always maintain, and in whoſe Behalf
'we are as much ſlandered as for ourſelf) but as a
'*Faction* of *Malignant*, *Schiſmatical* and *Ambitious*
'*Perſons*, whoſe Deſign is, and always hath been,
'to alter the whole Frame of *Government*, both of
'*Church* and *State*, and to ſubject both *King* and
'*People* to their own lawleſs *arbitrary Power* and
'*Government*; of whoſe Perſons, and of whoſe De-
'ſign, we ſhall, within a very ſhort Time, give
'our good Subjects, and the World, a full, and,
'we hope, a ſatisfactory *Narration*.

'The *Contrivers* and *Penners* of that *Declaration*
'(of whom we would be only underſtood to ſpeak,
'when we mention any of their undutiful Acts a-
'gainſt us) tell you, *That the great Affairs of this*
'*Kingdom, and the miſerable and bleeding Condition of*
'*the Kingdom of* Ireland, *will afford them little Lei-*
'*ſure to ſpend their Time in* Declarations, Anſwers,
'*and* Replies. Indeed the miſerable and deplora-
'ble Condition of both Kingdoms would require
'ſomewhat elſe at their Hands: But we would
'gladly know how they have ſpent their Time
'ſince their Receſs, (now almoſt eight Months)
'but in *Declarations*, *Remonſtrances* and *Invectives*
'againſt us and our Government, or in preparing
'Matter for them. Have we invited them to any
'ſuch Expence of Time, by beginning Arguments
'of that Nature? Their Leiſure, or their Inclina-
'tion, is not as they pretend: And what is their
'*Printing* and *Publiſhing* their *Petitions* to us, their
'*Declarations* and *Remonſtrances* of us, their odious
'*Votes* and *Reſolutions*, ſometimes of one, and ſome-
'times of both Houſes, againſt us (never in this Man-
'ner communicated before this Parliament) but an
'*Appeal* to the *People?* And, in God's Name, let
'them judge of the Perſons they have truſted.

'Their firſt Quarrel is (as it is always, to let them
'into their frank Expreſſions of us and our Actions)

againſt

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'againſt the *Malignant Party*, whom they are pleaſed ſtill to call, and never to prove to be, *our evil Counſellors*; but, indeed, nothing is more evident by their whole Proceedings, than that by the *Malignant Party* they intend all the Members of both Houſes, who agree not with them in their Opinion, (hence have come their *Diſtinction* of *good* and *bad Lords*, of Perſons *ill affected* in the Houſe of *Commons*, who have been proſcribed, and their Names liſted and read in Tumults) and all the Perſons of the Kingdom, who approvē not of their Actions: So that if, in Truth, they would be ingenuous, and name the Perſons they intend, Who would be the Men, upon whom that Imputation of *Malignity* would be caſt, but they who have ſtood ſtoutly and immutably for the *Religion*, the *Liberties*, the *Laws*, for all public Intereſts, ſo long as there was any to be ſtood for: They, who have always been, and are as zealous *Profeſſors*, and, ſome of them, as able and earneſt *Defenders* of the *Proteſtant* Doctrine againſt the Church of *Rome*, as any are; who have often and earneſtly beſought us to conſent, *That no indifferent and unneceſſary Ceremony might be preſſed upon weak and tender Conſciences*, and, *That we would agree to a Bill for that Purpoſe*: They, to whoſe Wiſdom, Courage, and Counſel the Kingdom oweth as much as it can to Subjects; and upon whoſe unblemiſhed Lives Envy itſelf can lay no Imputation, nor endeavoured to lay any, untill their Virtues brought them to our Knowledge and Favour? Let the *Contrivers* of this *Declaration* be faithful to themſelves, and conſider all thoſe Perſons of both Houſes, whom they, in their own Conſciences, know to diſſent from them in the *Matter* and *Language* of that *Declaration*, and in all thoſe undutiful Actions, of which we complain; and will they not be found in *Honour*, *Fortune*, *Wiſdom*, *Reputation*, and *Weight* (if not in Number) much *Superior* to them? So much for the *evil Counſellors*. Now, what is the *evil Counſel* itſelf? Our coming from *London* (where we,

'we, and many whoſe Affections to us are very 'eminent, were in Danger every Day to be torn 'in Pieces) to *York*; where we, and all ſuch who 'will put themſelves under our Protection, may 'live (we thank God, and the Loyalty and Affec- 'tion of this good People) very ſecurely: Our not 'ſubmitting ourſelf abſolutely (and renouncing our 'own Underſtanding) to the *Votes* and *Reſolutions* 'of the *Contrivers* of that *Declaration*, when they 'tell us, *They are above us, and may* (by our own 'Authority) *do with us what they pleaſe*; and our 'not being contented, that all our good Subjects 'Lives and Fortunes ſhall be diſpoſed of by their '*Votes*, but by the *known Law* of the *Land*: This 'is the *evil Counſel* given and taken. And will not 'all Men believe there needs much Power and Skill 'of the *Malignant Party* to infuſe this Counſel in- 'to us? And now apply the Argument the *Contri-* 'vers of that *Declaration* make for themſelves: *Is* 'it probable, or poſſible, ſuch Men whom we have men- 'tioned (who muſt have ſo great a Share in the Miſe- 'ry) ſhould take ſuch Pains in the procuring thereof, 'and ſpend ſo much Time, and run ſo many Hazards, 'to make themſelves Slaves, and to ruin the Freedom 'of this Nation?* We ſay, with a clear and up- 'right Conſcience to God Almighty, *Whoſoever* 'harbours the leaſt Thought in his Breaſt of Ruining 'or Violating the* public Liberty *or* Religion *of this* 'Kingdom, or the *juſt Freedom *and* Privilege *of* 'Parliament, *let him be accurſed*; *and he ſhall be no* 'Counſellor of ours that will not ſay*; Amen. For 'the *Contrivers* of that *Declaration*, we have not 'ſaid any Thing which might imply any Inclina- 'tion in them to be *Slaves:* That which we have 'charged them with, is *invading* the *public Liberty*; 'and our Preſumption may be very ſtrong and ve- 'hement, that (though they have no mind to be '*Slaves*) they are not unwilling to be *Tyrants:* 'What is *Tyranny*, but to admit no Rule to govern 'by but their *own Wills?* And we know the Mi- 'ſery of *Athens* was at the higheſt, when it ſuffered 'under the *thirty Tyrants*.

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'If

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'If that *Declaration* had told us (as indeed it 'might, and as, in Juſtice, it ought to have done) that 'the *Precedents* of any of our *Anceſtors* did fall ſhort 'and much below what hath been done by us, this 'Parliament, in Point of *Grace* and *Favour* to our 'People, we ſhould no otherwiſe have wondered 'at it, than at ſuch a Truth, in ſuch a Place: 'But when, to juſtify their having done more than 'ever their Predeceſſors did, it tells our good Sub-'jects (as moſt injuriouſly, moſt inſolently it doth) '*That the higheſt and moſt unwarrantable Precedents 'of any of our Predeceſſors do fall ſhort, and much 'below what hath been done to them this Parliament 'by us*, we muſt confeſs ourſelf amazed, and not 'able to underſtand them: And we muſt tell thoſe '*ungrateful* Men (who dare tell their King, *That 'they may, without want of Modeſty and Duty, de-'poſe him*) that the Condition of our Subjects, when '(by whatſoever Accidents and Conjunctures of 'Time) it was at the worſt, under our Power, (unto 'which, by no Default of ours, they ſhall be ever 'again reduced) was, by many Degrees, more 'pleaſant and happy, than that to which their 'furious Pretence of *Reformation* hath brought them: 'Neither are we afraid of the higheſt Precedents 'of other Parliaments, which theſe Men *boldly* '(our good Subjects will call it worſe) tell us, *They 'might, without want of Modeſty and Duty, make 'their Patterns*: If we had no other Security a-'gainſt thoſe Precedents, but their Modeſty and 'Duty, we were in a miſerable Condition, as all 'Perſons will be who depend upon them.

'That *Declaration* will not allow our Inference, '*That, by Avowing the Act of Sir* John Hotham, '*they do deſtroy the Title and Intereſt of all our Sub-'jects to their Lands and Goods*; but confeſſeth, *if 'they were found guilty of that Charge, it were in-'deed a very great Crime.* And do they not, in 'this *Declaration*, admit themſelves guilty of this 'very Crime? Do they not ſay, *Who doubts but 'that a Parliament may diſpoſe of any Thing, where-'in we or our Subjects have a Right, in ſuch a Way as*

'*that*

'*that the Kingdom may not be in Danger thereby?* An. 18. Car. I.
'Do they not then call themſelves *This Parliament* 1642.
'and challenge this Power *without our Conſent?* Do June.
'they not extend this Power to *all Caſes*, where
'the Neceſſity, or the *Common Good* of the *Kingdom* is
'concerned? And do they not arrogate unto them-
'ſelves alone the *Judgment* of this Danger, this Ne-
'ceſſity, this Common Good of the Kingdom?
'What is, if this be not, to unſettle the *Security* of all
'Men's Eſtates, and to expoſe them to an *Arbitrary*
'*Power* of their own? If a *Faction* ſhall at any
'Time, by Cunning or Force, Abſence or Accident,
'prevail over a *major Part* of both Houſes; and
'pretend that they are *Evil Counſellors*, a *Malignant*
'*Party* about the King, by whom the *Liberty* and
'*Religion* of the Kingdom are both in *Danger*, (this
'they may do; they have done it) then they may
'take away, be it from the King or People, what-
'ſoever they, in their *Judgment*, ſhall think fit:
'This is lawful; they have *declared* it ſo.' Let the
'World judge, whether we charge them unjuſtly,
'and whether they are not guilty of the Crime,
'which themſelves confeſs, being proved, is a
'great one; and how ſafely we might commit the
'Power theſe People deſire into their Hands, who,
'in all Probability, would be no ſooner poſſeſſed of
'it, than they would revive that Tragedy which Mr.
'*Hooker* relates of the *Anabaptiſts* in *Germany*; who,
'talking of nothing but Faith, and of the true Fear
'of God, and that Riches and Honour were Vanity,
'at firſt, upon the great Opinion of their Humility,
'Zeal, and Devotion, procured much Reverence
'and Eſtimation with the People; after, finding
'how many Perſons they had inſnared with their
'Hypocriſy, they began to propoſe to themſelves
'to reform both the Eccleſiaſtical and Civil Govern-
'ment of the State; then, becauſe poſſibly they
'might meet with ſome Oppoſition, they ſecretly
'enter'd into a League of Aſſociation; and, ſhortly
'after, finding the Power they had gotten with the
'credulous People, enriched themſelves with all Kind
'of Spoil and Pillage, and juſtified it upon our Savi-
'our's

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'our's Promiſe, *The Meek ſhall inherit the Earth*; and 'declared their Title was the ſame which the righte-'ous *Iſraelites* had unto the Goods of the wicked '*Egyptians:* This Story is worth the reading at 'large, and needs no Application.

'But we muſt by no Means ſay, *That we have 'the ſame Title to our Town of* Hull, *and the Am-'munition there, as any of our Subjects have to their 'Lands or Money*; that is *a Principle that pulls 'up the Foundation of the Liberty and Property of 'every Subject.* Why, pray? *Becauſe the King's 'Property in his Towns, and in his Goods, bought 'with the Public Money* (as they conceive our Ma-'gazine at *Hull* was) *is inconſiſtent with the Sub-'jects Property in their Lands, Goods, and Liberty:* 'Do theſe Men think, That as they aſſume a 'Power of *declaring Law*, and whatſoever *contra-'dicts* that *Declaration breaks* their *Privileges*; ſo 'that they have a Power of declaring *Senſe* and '*Reaſon*, and impoſing *Logic* and *Syllogiſms* on the 'Schools, as well as *Law* upon the People? Doth 'not all Mankind know, that ſeveral Men may 'have ſeveral Rights and Intereſts in the ſelf ſame 'Houſe and Land, and yet neither deſtroy the o-'ther? Is not the Intereſt of the Lord *Paramount* 'conſiſtent with that of the *Meſne* Lord, and his 'with that of the *Tenant*, and yet their Properties 'and Intereſts not at all confounded? And why may 'not we then have a *full lawful Intereſt* and *Pro-'perty* in our Town of *Hull*, and yet our Subjects 'have a *Property* in *their Houſes* too? But we *can-'not ſell or give away, at our Pleaſure, our Towns and 'Forts, as a private Man may do his Land or Goods.* 'What then? Many Men have no Authority to '*let* or *ſet* their *Leaſes*, or *ſell* their *Land*; have 'they therefore *no Title* to them, or *Intereſt* in 'them? May they be *taken from them*, becauſe 'they *cannot ſell* them? The Purpoſe of our Jour-'ney to *Hull* was neither to ſell it, or give it away.

'But for the Magazine and the Munition there, '*that we bought with our own Money, we might 'ſurely have ſold that, lent, or given it away.* No;

'we

'*we bought it with the Public Money*; and the Proof is, *They conceive it ſo*; and upon this Conceit have *voted*, That it ſhall be taken from us. Excellent Juſtice! Suppoſe we had kept this Money by us, and not bought Arms with it, would they have taken it from us upon that Conceit? Nay, may they not whereſoever this Money is (for through how many Hands ſoever it hath paſſed, it is the Public Money ſtill, if ever it were) ſeize it and take it from the Owners? *But the Towns, Forts, Magazine, and Kingdom is intruſted to us, and we are a Perſon truſted.* We are ſo, *God* and the *Law* hath *truſted* us, and we have taken an *Oath* to diſcharge that *Truſt* for the Good and Safety of our People: What *Oaths* they have taken we know not, unleſs thoſe which, in this Violence, they have manifeſtly and maliciouſly violated. May any Thing be taken from a Man becauſe he is *truſted* with it? Nay, may the Perſon himſelf take away the Thing he *truſts*, when he will, and in what Manner he will? The *Law* hath been otherwiſe, and we believe will be ſo held, notwithſtanding their *Declarations.* An. 18. Car. I. 1642. June.

'But this *Truſt* ought to be managed by their Advice, and the Kingdom hath truſted them for that Purpoſe: Impoſſible! That the *ſame Truſt* ſhould be irrevocably committed to *us* and *our Heirs for ever*, and the *ſame Truſt*, and a *Power above that Truſt* (for ſuch is the Power they pretend) be committed to *others:* Did not the People that ſent them look upon them as a Body but Temporary, and Diſſoluble at *our Pleaſure:* And can it be believed, that they intended them for our *Guardians* and *Comptrollers* in the managing of that *Truſt*, which God and the *Law* hath granted to *us and our Poſterity for ever?* What the Extent of their *Commiſſion* and *Truſt* is, nothing can better teach them, than the *Writ* whereby they are met. We called them (and without that Call they could not have come together) to be our *Counſellors*, not *Commanders*; (for however

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'they frequently confound them, the Offices 'are ſeveral) and Counſellors, not in *all* Things, 'but in *ſome* Things, *De Quibuſdam arduis*, &c. 'And they will eaſily find amongſt their Precedents, 'that Queen *Elizabeth* (upon whoſe Time all good 'Men look with Reverence) committed one *Went-* 'worth, a Member of the Houſe of Commons, to 'the *Tower*, ſitting the Houſe, only for propoſing '*That they might adviſe the Queen in a Matter ſhe* 'thought they had nothing to do to meddle in (i). 'But *we are truſted:* And are we the *only Perſon* 'truſted? And may they do what their own In- 'clination and Fury leads them to? Were not 'they *truſted by us*, when we firſt ſent for them; 'and were they not *truſted by us*, when we paſſed 'them our Promiſe *that we would not diſſolve* 'them? Can it be preſumed (and Preſumptions go 'far with them) that we truſted *them with a Power* 'to deſtroy us, *and to diſſolve our Government and* 'Authority? If the People might be allowed to 'make an equitable Conſtruction of the *Laws* and 'Statutes, (a Doctrine avowed by them) would not 'all our good Subjects ſwear, we never intended 'by that Act of Continuance, that they ſhould 'do what they have ſince done? Were they not 'truſted by thoſe that have ſent them? And were 'they truſted to *alter* the *Government* of *Church* and 'State, and to make themſelves *perpetual Dictators* 'over the *King* and *People?* Did they intend that 'the *Law* itſelf ſhould be ſubject to their *Votes*, and 'that whatſoever they ſay or do, ſhould be *lawful* 'becauſe *they declare* it ſo? The *Oaths* which they 'have taken who ſent them, and without taking 'which themſelves are not capable of their Place 'in Parliament, makes the one uncapable of giving, 'and the other of receiving, ſuch a *Truſt*; unleſs 'they perſuade our good Subjects, That we are 'the only Supreme Head and Governor in all 'Cauſes, and *over all Perſons*, within our Domi- 'nions; and yet that they have a Power *over us*

'to

(i) This Affair is recited at large in our Fourth Volume.

'to conſtrain us to manage our *Truſt*, and govern An. 18. Car. I. 1642.
'our Power according to their Diſcretion. June.

'The *Contrivers* of that *Declaration* tell us, '*That they will never allow us* (an humble and dutiful Expreſſion) *to be judge of the* Law; *that belongs* 'only to them; *they may and muſt* judge *and* declare. 'We all know what Power the *Pope*, under the 'Pretence of *interpreting* Scriptures, and *declaring* 'Articles of *Faith* (tho' he declines the *making* the 'one or the other) hath uſurped over Men's Conſciences; and that, under Colour of having Power 'of ordering all Things for the Good of Men's 'Souls, he intitles himſelf to all the Kingdoms in 'the World. We will not accuſe the *Framers* of 'this *Declaration* (how bold ſoever they are with 'us) that they incline to *Popery*; of which another 'Maxim is, *That we muſt ſubmit our Reaſon and* 'Underſtanding, *and the Scripture itſelf, to that* 'Declaring *Power of his*: Neither will we tell 'them, tho' they have told us ſo, that they uſe the 'very Language of the Rebels of *Ireland:* And 'yet they ſay thoſe Rebels declare, *That whatſoever* 'they do, *is for the Good of the King and Kingdom.* 'But our good Subjects will eaſily put the Caſe 'to themſelves, Whether, if the *Papiſts* in *Ireland* 'in Truth were, or by Act or Accident had made 'themſelves, the Major Part of both Houſes of 'Parliament there, and had pretended the *Truſt* (in 'that *Declaration*) from the Kingdom of *Ireland*; 'and thereupon had *voted* their Religion and Liber-'ty to be in Danger of Extirpation from a Malig-'nant Party of *Proteſtants* and *Puritans*; and there-'fore that they ſhould put themſelves into a Poſture 'of Defence; that the Forts and *Militia* of that 'Kingdom were to be put into the Hands of ſuch 'Perſons as they could confide in: That we were 'indeed *truſted* with the Towns, Forts, Magazines, 'Treaſures, Offices, and People of the Kingdom, 'for the Good, and Safety, and beſt Advantage 'thereof; but as this *Truſt* is for the Uſe of the 'Kingdom, ſo it ought to be managed by the Ad-'vice of both Houſes of Parliament, whom the

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'Kingdom had *truſted* for that Purpoſe; it being 'their Duty to ſee it diſcharged according to the 'Condition and true Intent thereof, and, by all 'poſſible Means, to prevent the contrary. We 'ſay, let all our good Subjects conſider, if that 'Rebellion had been plotted with this Formality, 'and thoſe Circumſtances *declared* to be *legal*, (at 'leaſt, according to the equitable Senſe of the Law) 'and to be for the Public Good, and juſtifiable by 'Neceſſity; (of which they were the only Judges) 'whether, though they might have thought their 'Deſign the more cunning, they would believe it 'the more juſtifiable? Nay, let the *Framers*, of 'this *Declaration* aſk themſelves, If *the Evil Counſellors, the Malignant Party, the Perſons ill affected, the Popiſh Lords, and their Adherents* ſhould 'prove now, or hereafter, to be a *Major Part* of 'both Houſes, (for it hath been declared a great 'Part of both Houſes have been ſuch, and ſo might 'have been the greater: Nay, that the greater 'Part of the Houſe of Peers was ſuch, and we 'have not heard of any of their Converſions; and 'thereupon it hath been earneſtly preſſed, That 'the *Minor Part* of the *Lords* might join with the '*Major Part* of the Houſe of *Commons)* were we 'bound to conſent to all *ſuch Alterations* as theſe 'Men ſhould propoſe to us, and *reſolve* to be for 'the Public Good; and muſt the *Liberty*, *Property*, 'and *Security* of our Subjects depend on what ſuch '*Votes* ſhould *declare* to be *Law?* Was the *Ordi*'*nance* of the *Militia* unfit and unlawful, whilſt the 'Major Part of the Lords refuſed to join in it; '(as they did two, if not three, ſeveral Times; 'and it was never heard, before this Parliament, 'that they ſhould be ſo, and ſo often, preſſed after 'a *Diſſent declared)* and did it grow immediately 'neceſſary for the Public Safety, and lawful by the 'Law of the Land, as ſoon as ſo many of the 'diſſenting Peers were driven away, (after their 'Names had been required at the Bar, contrary to 'the Freedom and Foundation of Parliaments) that 'the other Opinion prevailed? Doth the *Life* and

'*Li*-

'*Liberty* of the Subject depend upon ſuch Acci- An. 18. Car. I.
'dents of *Days* and *Hours*, that it is impoſſible for 1642.
'him to know his Right in either? God forbid. June.

'But now, to juſtify their *Invaſion* of our antient, 'unqueſtioned, undoubted *Right*, ſettled and eſta- 'bliſhed on us and our Poſterity by God himſelf; 'confirmed and ſtrengthened by all poſſible Titles 'of *Compacts*, *Laws*, *Oaths*, perpetual and uncon- 'tradicted *Cuſtom* by our People; what have they 'alledged *to declare to the Kingdom* (as they ſay) *the* '*Obligation that lyeth upon the King of this Realm* '*to paſs all ſuch Bills, as are offered unto them by both* '*Houſes of Parliament?* (a Thing never heard of 'till this Day) An *Oath* (Authority enough for 'them to break all theirs) that is, or ought to be, 'taken by the Kings of this Realm, which is, as 'well to remedy by Law ſuch Inconveniences the 'Kingdom may ſuffer, as to keep and protect the 'Laws already in being; and the *Form* of this *Oath* '(they ſay) appears upon a *Record* there cited, and 'by a *Clauſe* in the Preamble of a Statute made in 'the twenty-fifth Year of King *Edward* the 'Third.

'We are not enough acquainted with *Records* to 'know, whether that be fully and ingenuouſly cited, 'and when, and how, and why the ſeveral Clauſes 'have been inſerted, or taken out of, the *Oaths* for- 'merly adminiſtred to the Kings of this Realm; 'yet we cannot poſſibly imagine the Aſſertion, that '*Declaration* makes, can be deduced from the *Words*, 'or the *Matter* of that *Oath*; for, unleſs they have 'a Power of *declaring Latin* as well as *Law*, ſurely '*Elegerit* ſignifieth, *hath choſen*, as well as, *will* '*chuſe*; and that it ſignifieth ſo here (beſides the Au- 'thority of the perpetual Practice of ſucceeding 'Ages, a better Interpreter than their *Votes*) is evi- 'dent by the Reference it hath to Cuſtoms; *Con-* '*ſuetudines quas Vulgus elegerit*; and could that be a '*Cuſtom* which the People *ſhould chuſe after this* '*Oath taken*, and ſhould a King be ſworn to de- 'defend *ſuch* Cuſtoms? Beſides, can it be imagined 'that he ſhould be bound by *Oath* to paſs ſuch Laws

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'(and ſuch a Law is the Bill they brought to us of 'the *Militia)* as ſhould put the *Power, wherewith 'he is truſted, out of himſelf* into the Hands of other 'Men; and ſo diveſt and diſable him of all poſſible 'Power to perform the great Buſineſs of the *Oath*, 'which is to protect them? If we give away all our 'Power, or if it be taken from us, we cannot pro-'tect any Man: And what Diſcharge would it be 'for us, either before God or Man, (when our good 'Subjects, whom God and the Law hath com-'mitted to our Charge, ſhall be worried and ſpoiled) 'to ſay, *That we truſted others to protect them*; 'that is, to do that Duty for us, which is eſſen-'tially and inſeparably our own. But, that all our 'good Subjects may ſee how faithfully theſe Men '(who aſſume this Truſt from them) deſire to diſ-'charge their Truſt, we ſhall be contented to pub-'liſh for their Satisfaction (a Matter notorious e-'nough, but which we ourſelf never thought to 'have been put to publiſh, and which the *Fra-'mers* of that *Declaration* might as well have made 'uſe of as a *Latin Record* they knew many of 'our good Subjects could not, and many of them-'ſelves do not, underſtand) the *Oath itſelf we took at 'our Coronation*, warranted and enjoyned to it by 'the Cuſtom and Directions of our Predeceſſors; 'and the Ceremony of their and our taking it, as 'they may find it in the *Records* of the *Exchequer*: 'This it is,

"The Sermon being done, the Archbiſhop "goeth to the King, and asks his Willingneſs to "take the Oath uſually taken by his Predeceſſors.

"The King ſheweth himſelf willing, ariſeth and "goeth to the Altar; the Archbiſhop admini-"ſtreth theſe Queſtions, and the King anſwers them "ſeverally.

"Epiſcopus. *Sir, will you grant and keep, and, "by your Oath, confirm to the People of* England *the "Laws and Cuſtoms to them granted by the Kings of* "England, *your lawful and religious Predeceſſors*; "*and, namely, the Laws, Cuſtoms, and Franchiſes*

"*granted*

" *granted to the Clergy, by the glorious King St.* Ed- An. 18. Car. I.
" ward, *your Predeceſſor, according to the Laws of* 1642.
" *God, the true Profeſſion of the Goſpel eſtabliſhed in* June.
" *this Kingdom, and agreeable to the Prerogative of*
" *the Kings thereof, and the antient Cuſtoms of this*
" *Realm?*

" *Rex.* I grant, and promiſe to keep them.

" Epiſcopus. *Sir, will you keep Peace and god-*
" *ly Agreement entirely, according to your Power,*
" *both to God, the holy Church, the Clergy, and the*
" *People?*

" *Rex.* I will keep it.

" Epiſcopus. *Sir, will you, to your Power, cauſe*
" *Law, Juſtice, and Diſcretion, in Mercy and Truth,*
" *to be executed in all your Judgments?*

" *Rex.* I will.

" Epiſcopus. *Sir, will you grant to hold and keep*
" *the Laws and rightful Cuſtoms which the Commo-*
" *nalty of this your Kingdom have; and will you de-*
" *fend and uphold them to the Honour of God, ſo much*
" *as in you lieth?*

" *Rex.* I grant, and promiſe ſo to do.

" Then one of the Biſhops reads this Admoni-
" tion to the King, before the People, with a loud
" Voice.

" *Our Lord and King, we beſeech you to pardon,*
" *and to grant, and to preſerve unto us, and to the*
" *Churches committed to our Charge, all canonical Pri-*
" *vileges, and due Law and Juſtice; and that you*
" *would protect and defend us, as every good King, in*
" *his Kingdom, ought to be Protector and Defender of*
" *the Biſhops, and the Churches under their Govern-*
" *ment.*

" The King anſwereth,

" *With a willing and devout Heart I promiſe and*
" *grant my Pardon, and that I will preſerve and*
" *maintain to you, and the Churches committed to*
" *your Charge, all canonical Privileges, and due Law*
" *and Juſtice; and that I will be your Protector and*
" *Defender, to my Power, by the Aſſiſtance of God, as*
" *every good King, in his Kingdom, in right ought to*
" *pro-*

An. 18. Car. I. 1642. June. "*protect and defend the Biſhops, and Churches under* "*their Government.*

"Then the King ariſeth, and is led to the Com- "munion Table, where he makes a ſolemn Oath, "in ſight of all the People, to obſerve the Premiſſes; "and, laying his Hand upon the Book, ſaith,

"*The Things which I have before promiſed I ſhall* "*perform and keep: So help me God and the Contents* "*of this Book.*"

'Now, let all the World judge whether *ſuch* '*Doctrine*, or *ſuch Concluſions*, as theſe Men teach, 'can follow, or have the leaſt Pretence from *this* '*Oath.*

'For the Preamble of the Statute they cite, that 'tells us, *That the King is bound to remedy*, by Law, '*the Miſchiefs and Damages which happen to his* '*People.* He is ſo: But is the King bound by the 'Preamble of that Statute, *to renounce his own Judg-* '*ment*, *his own Underſtanding*, in theſe *Miſchiefs*, 'and of thoſe *Remedies?* How far forth he is obli- 'ged to follow the *Judgment* of *his Parliament*, 'that *Declaration* ſtill confeſſeth to be a Queſtion. 'Without Queſtion none can take upon them to 'remedy, even *Miſchiefs*, but by *Law*, for fear of 'greater Miſchiefs than thoſe they go about to re- 'medy.

'*But we are bound in Juſtice to conſent to their* '*Propoſals, becauſe there is a Truſt repoſed in us to* '*preſerve the Kingdom, by making new Laws.* We 'are glad there is ſo, then we are ſure no *new* '*Laws* can be made without our Conſent; and that 'the Gentleneſs of our *Anſwer*, *Le Roy s'aviſera*, if 'it be no Denial, is no Conſent, and then the Mat- 'ter is not great. They will allow us yet *a great-* '*er Latitude of granting or denying, as we ſhall* '*think fit, in public Acts of Grace, as Pardons or* '*the like Grants of Favour.* Why do they ſo? If 'theſe *Pardons* and *public Acts of Grace* be for the '*Public Good*, (which they may *vote* they are) they 'will then be abſolutely in their own Diſpoſal.

'But

'But have they left us *this Power?* They have ſure at leaſt *ſhared it with us*: How elſe have they got the Power to pardon Serjeant-Major-General *Skippon*, (a new Officer of State, and a Subject we have no Authority to ſend to ſpeak with) and all other Perſons employed by them, and ſuch as have employed themſelves for them, not only for what they *have done*, but for what they *ſhall do?* If they have Power to *declare* ſuch Actions to be *no Treaſon*, which we would *not pardon*, and ſuch Actions *to be Treaſon*, which *need no Pardon*, the Latitude they allow us, of *granting* or *denying of Pardons*, is a Jewel they may ſtill be contented to ſuffer us to wear in our Crown, and never think themſelves the more in Danger. An. 18. Car. I. 1642. June.

'All this conſidered, the *Contriver* of that *Meſſage*, (ſince they will afford him no better Title) whom they are angry with, doth not conceive the People of this Land to be ſo void of Common Senſe, as to believe us (who have denied no one Thing for the Eaſe and Benefit of them, which in Juſtice or Prudence could be aſked, or in Honour and Conſcience could be granted) to have caſt off all Care of our Subjects Good; and the *Framers* and *Deviſers* of that *Declaration* (who have endeavoured to render us odious to our Subjects, and them diſloyal to us, by pretending ſuch a Truſt from them) to have only taken it up: Neither, we are confident, will they be ſatisfied, when they feel the Miſery and the Burdens which the Fury and the Malice of thoſe People will bring upon them, with being told that Calamity proceeds from *evil Counſellors*, whom no Body can name; from *Plots and Conſpiracies*, which no Man can diſcover; and from *Fears* and *Jealouſies*, which no Man underſtands: And therefore that the Conſideration of it be left to the Conſcience, Reaſon, Affection, and Loyalty of our good Subjects, who do underſtand the Government of this Kingdom, we are well content.

'Where will the Folly and Madneſs of theſe People end, who would have our People believe,

'That

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'That *our Abſenting ourſelf from* London, (where, 'with our Safety, we could not ſtay) and the *Conti-* 'nuing our Magazine at Hull, proceeds from the 'ſecret Plots of the *Papiſts* here, and to advance the 'Deſigns of the *Papiſts* in *Ireland*? But it is no 'Wonder that they, who can believe Sir *John Ho-* 'tham's ſhutting us out of *Hull* to be an Act of 'Affection and Loyalty, will believe that the *Pa-* 'piſts or the *Turks* perſuaded us to go thither.

'And can any ſober Man think that *Declara-* 'tion to be the Conſent of either or both Houſes of 'Parliament, unaltered either by Fraud or Force, 'which (after ſo many Thanks and humble Ac- 'knowledgement of our gracious Favour in our '*Meſſage* of the 20th of *January*, ſo often and ſo 'unanimouſly preſented unto us from both Houſes 'of Parliament) tells us, *That the* Meſſage *at firſt* 'was, *and, as often as it hath been ſince mentioned by* 'us, *hath been a Breach of Privilege*; (of which 'they uſed not to be ſo negligent, as, in four 'Months, not to complain, if ſuch a Breach had 'been) and *that the Way and Method of proceeding* 'ſhould not be propoſed to them; as if we had only 'Authority to *call them together*, none to tell them 'what they were to do, not ſo much as with reference 'to *our own Affairs*: What their Method hath been, 'and whither it hath led them, and brought the 'Kingdom, all Men ſee; what ours would have 'been, if *ſeaſonably* and *timely applied unto*, let all 'Men judge: We will ſpeak no more of it.

'But ſee now what excellent Inſtances they have 'found out to prove an Inclination, if not in us, 'in ſome about us, to a *Civil War*: *Their going with* 'us to the Houſe of Commons; (ſo often urged, and 'ſo fully anſwered) *their attending on us to* Hampton- 'Court, *and appearing in a warlike Manner at* 'Kingſton *upon* Thames; *our going to* Hull; *their* 'drawing their Swords at York, *demanding* Who 'would be for the King; *the declaring Sir* John 'Hotham *Traitor, before the* Meſſage *ſent to the Par-* 'liament; *the* Propoſitions *to the Gentry in* York- 'ſhire *to aſſiſt us againſt him, before we had recei-*

'ved

'*ved an* Anſwer *from the Parliament:* All deſperate An. 18. Car. I.
'Inſtances of an *Inclination* to a *Civil War!* Exa- 1642.
'mine them again: The *Manner* and *Intent* of our June.
'going to the Houſe of Commons, we ſet forth at
'large in our *Anſwer* to their *Declaration* of the
'19th of *May*; let all Men judge. Next, Do theſe
'Men themſelves believe (to what Purpoſe ſoever
'that Rumour hath ſerved their Turns) that there
'was an *Appearance* in *warlike Manner* at *Kingſton*
'upon *Thames?* Do they not know, that whenſoever
'we have been at *Hampton-Court*, ſince our firſt
'Coming to the Crown, there was never a *leſs Ap-*
'*pearance*, or in a *leſs warlike Manner* than at the
'Time they mean. We ſhall ſay no more, but
'that *our Appearance*, in a *warlike Manner* at *King-*
'*ſton* upon *Thames*, and *theirs* at *Kingſton* upon
'*Hull*, is very different. What is meant *by the*
'*drawing of Swords at* York, *and demanding*, Who
'would be for the King, muſt be inquired at *Lon-*
'*don*, for we believe very few in *York* underſtand
'the Meaning of it. For our going to *Hull*, (which
'they will by no Means endure ſhould be call'd a
'*Viſit*) whether it were not the Way to *prevent*,
'rather than to *make* a *Civil War*, is very obvious.
'And the declaring Sir *John Hotham* a *Traitor*, in
'the very *Act of his Treaſon*, will never be thought
'unſeaſonable, but by thoſe who believe him to
'be a *loving* and *loyal Subject*; no more than the
'endeavouring to make the Gentlemen of this
'County ſenſible of that Treaſon (which they
'are in an honourable and dutiful Degree) before
'we received our *Anſwer* from both Houſes of Par-
'liament: For if they had been (as we expected
'they ſhould have been) ſenſible of that *intolerable*
'*Injury* offered to us, might not we have had Oc-
'caſion to have uſed the Affection of theſe Gentle-
'men? Were we ſure that Sir *John Hotham*, who
'had kept us out *without their Order*, (we ſpeak of
'a *public Order*) would have let us in when they
'had bidden him? And if they had not ſuch a
'Senſe of us, (as the Caſe falls out to be) had we
'not more Reaſon to make Propoſitions to thoſe
'Gen-

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'Gentlemen, whoſe Readineſs and Affection we, 'or our Poſterity, ſhall never forget.

'But this Buſineſs of *Hull* ſticks ſtill with them, 'and finding our Queſtions hard, they are pleaſed 'to anſwer us by aſking us other Queſtions: No 'Matter for the Exceptions againſt the Earl of '*Newcaſtle*, (which have been ſo often urged as one 'of the principal Grounds of their *Fears* and *Jea-* 'louſies, and which drew that Queſtion from us) 'they aſk us, *Why, ſince we held it neceſſary that* 'a *Governor ſhould be placed in* Hull, *Sir* John Ho- 'tham *ſhould be refuſed by us, and the Earl of* New- 'caſtle *ſent down?* We anſwer, Becauſe we had 'a better Opinion of the Earl of *Newcaſtle*, than of 'Sir *John Hotham*; and deſired to have ſuch a Go- 'vernor over our Towns, (if we muſt have any) 'as ſhould keep them *for*, and not *againſt*, us: And 'if his going down were in a more private Way 'than Sir *John Hotham's*, it was becauſe we had 'not *that Authority* to make a Noiſe, by *levying* 'and billeting of Soldiers, *in a peaceable Time*, upon 'our good Subjects, as it ſeems Sir *John Hotham* 'carried down with him. And the Imputation 'which is caſt by the Way upon that Earl, to 'make his Reputation not ſo unblemiſhed as we 'conceived, and the World believes, it to be, and 'which, *though it was not Ground enough for a ju-* 'dicial Proceeding, (it is wonder it was not) *was yet* 'Ground *enough of Suſpicion*, muſt be the Caſe of 'every Subject in *England*, (and we wiſh it went 'no higher) if every *vile Aſperſion* contrived by *un-* 'known *Hands*, upon *unknown* or *unimaginable* 'Grounds (which is the Way practiſed to bring any 'virtuous and deſerving Men into Obloquy) ſhall 'receive the leaſt Credit or Countenance in the 'World.

'They tell us their Exception to thoſe Gentle- 'men, who delivered their *Petition* to us at *York*, 'was, *That they preſumed to take upon them the Style* 'of all the Gentry and Inhabitants of that County; 'whereas, they ſay, *ſo many more, of as good Quality* 'as themſelves, *of that County, were of another O-* 'pinion,

'*pinion*; *and have ſince, by their* Petition *to us, diſ-* An. 18. Car. I.
'*avowed that Act:* Their Information in that Point 1642.
'is no better than it uſeth to be; and they will find, June.
'That neither the *Number* or the *Quality* of thoſe
'who have, or will diſavow that *Petition*, are as
'they imagine; though too many weak Perſons
'are *miſled* (which they do, and will every Day
'more, underſtand) by the *Faction*, *Skill*, and *In-*
'*duſtry* of that true *Malignant Party*, of which we
'do, and have Reaſon to complain. They ſay,
'*They have received no* Petition *of ſo ſtrange a Na-*
'*ture.* What Nature? *Contrary to the* Votes *of*
'*both Houſes:* That is, They have received no *Pe-*
'*tition* which they *had no Mind to receive:* But we
'told them, and we tell them again, and all our
'good Subjects will tell them, That they have re-
'ceived *Petitions*, with *Joy* and *Approbation*, againſt
'the *Votes* of both Houſes of their *Predeceſſors*, con-
'firmed and eſtabliſhed into *Laws* by the *Conſent*
'of *us* and *our Anceſtors*; and allowed thoſe *Peti-*
'*tions* to carry the Style, and to *ſeem* to carry the
'Deſires of Cities, Towns, and Counties, when of
'either City, Town, or County very few known
'or *conſiderable Perſons* have been privy to ſuch *Pe-*
'*titions:* Whereas, in Truth, the *Petitions* deliver-
'ed to us (againſt which they except) carried not
'the *Style* of *All*, but *Some* of the Gentry and In-
'habitants; and implied no other Conſent, than
'ſuch as went viſibly along with it.

'But we are all this while in a Miſtake; *the Ma-*
'*gazine at* Hull *is not taken from us.* Who told
'you ſo? They who aſſure you (and whom, with-
'out *breaking their Privileges*, you muſt believe)
'that Sir *John Hotham*'s ſhutting the Gates againſt
'us, and reſiſting our Entrance with armed Men,
'(though we thought it in Defiance of us) *was in-*
'*deed in Obedience to us and our Authority, and for our*
'*Service, and the Service of the Kingdom: He was to*
'*let none in, but ſuch as came with our Authority ſigni-*
'*fied by both Houſes of Parliament*; (himſelf and
'they had ordered it ſo) *and therefore he kept us out,*

'*only*

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'*only till we, or he, might ſend for their Directions.*
'We know not whether the *Contrivers* of that *De-*
'*claration* meant that our good Subjects ſhould ſo
'ſoon underſtand (though it was plain enough to
'be underſtood) the Meaning of the *King's Autho-*
'*rity ſignified by both Houſes of Parliament:* But
'ſure the World will now eaſily diſcern in what
'miſerable Caſe we had by this Time been, (it is
'bad enough as it is) if we had conſented to their
'*Bill*, or to their *Ordinance* of the *Militia*, and gi-
'ven thoſe Men Power to have raiſed all the Arms
'of the Kingdom againſt us (for the common
'Good) by our own Authority. Would they not,
'(as they have kept us from *Hull)* by this Time,
'have *beaten us from* York, *and purſued us out of*
'*the Kingdom in our own Behalf?* Nay, may not
'this Munition *(which is not taken from us)* be em-
'ployed *againſt* us? Not againſt *our Authority ſig-*
'*nified by both Houſes of Parliament*; but only to
'kill thoſe *ill Counſellors*, the *Malignant Party*,
'which is about us; *and yet for our Good*, *for the*
'*Public Good*, (they will *declare* it ſo) and ſo no
'Treaſon within the Statute of 25. *Edward* III.
'which, by their Interpretation, hath left us
'(the King of *England)* abſolutely leſs provided
'for, in Point of Safety, than the *meaneſt Subject*
'of the Kingdom; and every Subject of this Land
'(for whoſe Security that Law was made, that they
'may know their Duty, and their Danger in break-
'ing it) may be made a *Traitor*, when theſe Men
'pleaſe to ſay *he is ſo.* But do they think that,
'upon ſuch an Interpretation, (upon Pretence of
'Authority of *Book-Caſes* and *Precedents*, which,
'without doubt, they would have cited if they had
'been to their Purpoſe) out of which nothing can
'reſult but *Confuſion* to King and People, they will
'find any Credit with our good Subjects? and that
'ſo excellent a Law, made both for Security of
'King and People, ſhall be ſo *eluded* by an *Inter-*
'*pretation* no learned Lawyer in *England* will, at
'this Hour, we believe, ſet under his Hand, not-
'withſtanding

'withſtanding the Authority of that *Declaration*; An. 18. Car. I.
'which, we hope, ſhall bring nothing but *Infamy* 1642.
'upon the *Contrivers* of it. June.

'Now to their *Privileges*. Though it be true, 'they ſay, *That their Privileges do not extend to Trea-* 'ſon, *Felony, or Breach of the Peace, ſo as to exempt* 'the *Members from all Manner of Proceſs and* 'Trial; *yet it doth privilege them in the Way or Me-* 'thod *of their Trial; the Cauſe muſt firſt be brought* 'before *them, and their Conſent aſked before you can* 'proceed. Why then their *Privileges* extend as far in 'theſe Caſes, as in any that are moſt unqueſtioned; 'for no *Privilege* whatſoever exempts them from 'all *Manner* of Proceſs and Trial, if you firſt *ac-* 'quaint *the Houſe with it*, and they give you Leave 'to proceed by ſuch Proceſs, or to that Trial: But, 'by this Rule, if a Member of either Houſe com- 'mit a Murder, you muſt by no Means meddle 'with him, till you have *acquainted that Houſe*, 'of which he is a Member, and received *their Di-* 'rection for your Proceeding; aſſuring yourſelf he 'will not ſtir from that Place where you left him, 'till you return with their Conſent: *Should it be* 'otherwiſe, *it would be in the Power of every private* 'Man, *under Pretence of Murder, to take any* 'Man *from his Service in Parliament, and ſo as* 'many *one after another, as he pleaſeth; and ſo con-* 'ſequently *to make a Parliament what he will and* 'when *he will:* If a Member of either Houſe ſhall 'take a Purſe at *York*, (he may as probably take a 'Purſe from a Subject, as Arms againſt his King) 'you muſt ride to *London* to know what to do; 'and he may ride with you and take a new Purſe 'every Stage, and muſt not be *apprehended*, or *de-* 'clared *a Felon*, till you have *aſked that Houſe of* 'which *he is a Member: For, ſhould it be otherwiſe,* 'it *might be in every private Man's Power to accuſe* 'as *many Members as he would of taking Purſes, and* 'ſo *bring a Parliament (and conſequently all Parlia-* 'ments) *to nothing*. Would theſe Men be believed? 'And yet they make no Doubt, *but every one who* 'hath *taken the* Proteſtation, *will defend this Doc-*

'trine

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'*trine with his Life and Fortune.* Will not our 'Subjects believe, That they have impoſed a pretty '*Proteſtation* upon them, and that they had a very 'good End in the doing it, if it obligeth them to 'ſuch Hazards, to ſuch Undertakings? Muſt they 'forget or neglect our Perſon, Honour, and Eſtate, 'which, by that *Proteſtation*, they are bound to de-'fend, and in ſome Degree do underſtand; and muſt 'they only venture their Lives and Fortunes to ju-'ſtify *Privileges* they know not, or ever heard of 'before? Or are they bound by that *Proteſtation* 'to believe, that the *Framers* of that *Declaration* 'have Power to extend their own *Privileges* as far 'as they think fit, and to contract *our Rights* as 'much as they pleaſe; and that they are bound to 'believe them in either, and to venture their Lives 'and Fortunes in that Quarrel?

'From declaring how mean a Perſon *we are*, 'and how much the Kingdom hath been miſtaken 'in the Underſtanding of the *Statute* of 25. *Ed.* III. 'concerning *Treaſon*; and that all Men need not 'fear *levying War* againſt us, *ſo they have their* Or-'der *to warrant them*, they proceed, *in the Spirit* '*of Declaring*, to certify our Subjects in the Miſta-'kings, which near one hundred and fifty Years 'have been received, concerning the Statute of 11. '*Henry* VII. *Cap.* 1. (a *Statute* our good Subjects 'will read with Comfort) and tell them, *That the* '*ſerving of the King, for the Time being, cannot be* '*meant of* Perkin Warbeck, *or of any that ſhould call* '*himſelf King, but ſuch a one as is allowed and re-*'*ceived by the Parliament in the Behalf of the King-*'*dom*; and are we not ſo allowed? However thro' 'a dark Miſt of Words, and urging their *old Privi-*'*leges*, (which we hope we have ſufficiently an-'ſwered, and will be every Day more confuted by 'the Actions of our good Subjects) they conclude, '*That thoſe that ſhall guide themſelves by the Judg-*'*ment of Parliament* (which they ſay is their own) 'ought, *whatſoever happen*, to be ſecure and free 'from all Account and Penalties, upon the *Ground* 'and *Equity* of that very *Statute*. How far their

'own

'own Chancellors may help them in that *Equity*, An. 18. Car. I.
'we know not; but, by the Help of God and that 1642.
'good Law, we ſhall allow no ſuch *Equity*. June.

'So then, here is the *Doctrine* of that *Declara-*
'*tion*, and theſe are the *Poſitions* of the *Contrivers*
'of it.

1. '*That they have an* abſolute Power *of* declaring
'*the* Law, *and that whatſoever they* declare *to be ſo*,
'*ought not to be queſtioned by* ourſelf, *or any* Subject;
'*ſo that all Right and Safety of us and our People*
'*muſt depend upon their* Pleaſure.

2. '*That no* Precedents *can be* Limits *to bound*
'*their Proceedings*; *ſo they may do what they pleaſe.*

3. '*That a* Parliament *may diſpoſe of* any thing,
'*wherein the King or Subject hath a Right, for the*
'*Public Good*; *that* they, *without the* King, *are* this
'Parliament, *and* Judge *of this* Public Good; *and*
'*that our Conſent is* not neceſſary: *So the Life and*
'*Liberty of the Subject, and all the good Laws made*
'*for the Security of them, may be diſpoſed of and re-*
'*pealed by the* Major Part of both Houſes, *at any*
'*Time preſent, and by any Ways and Means procured*
'*ſo to be*; *and we have no Power to protect them.*

4. '*That no Member of either Houſe ought to be*
'troubled *or* meddled *with, for* Treaſon, Felony,
'*or any* other Crime, *without the Cauſe being* firſt
'*brought before them, that they may judge of the Fact,*
'*and their* Leave *obtained to proceed.*

5. '*That the* Sovereign Power *reſides in both*
'*Houſes of Parliament, and that we have no* Negative
'Voice: *So then we ourſelf muſt be* ſubject *to their*
'*Commands.*

6. '*That the* levying of Forces *againſt the per-*
'*ſonal Commands of the King, though accompanied*
'*with his Preſence, is not* levying War againſt the
'King; *but the* levying War againſt his Laws and
'Authority *(which they have Power to* declare *and*
'ſignify) *though not againſt his Perſon, is* levying
'War againſt the King; *and that Treaſon cannot*
'*be committed againſt his Perſon, otherwiſe than as*
'*he is* intruſted with the Kingdom, *and diſcharg-*

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'*ing that* Truſt; *and that they have a Power to* '*judge whether he diſcharge this* Truſt *or no.*

7. 'That if they ſhould make the higheſt Pre-'cedents of other Parliaments their Patterns, there 'would be no Cauſe to complain of want of Mo-'deſty or Duty in them: *That is, they may* depoſe '*us when they will, and are not to be blamed for ſo* '*doing.*

'And now, as if the mere Publiſhing of their '*Reſolutions* would not only prevail with the People, 'but in the inſtant deſtroy all Spirit and Courage in 'us to preſerve our own Rights and Honour, they 'have ſince taken the Boldneſs to aſſault us with 'certain *Propoſitions*, which they call *the moſt neceſ-*'*ſary effectual Means for removing thoſe* Jealouſies '*and* Differences *between us and our People:* That 'is, that we will be content to *diveſt* ourſelf of all 'our *Regal Rights* and *Dignities*; be content with 'the *Title of a King*; and ſuffer them, according to 'their *Diſcretion*, to *govern us and the Kingdom*, and 'to *diſpoſe of our Children.* How ſuitable and a-'greeable this Doctrine and theſe Demands are to 'the Affection of our loving Subjects, under whoſe '*Truſt* theſe Men pretend to ſay and do theſe mon-'ſtrous Things; and to deſign, not only the *Ruin* 'of *our Perſon*, but of *Monarchy* itſelf (which we 'may juſtly ſay, is more than ever was offered in 'any of our Predeceſſors Times; for though the '*Perſon* of the *King* hath been ſometimes *unjuſtly* '*depoſed*, yet the *Regal Power* was never, before 'this Time, *ſtrucken* at) we believe our good Sub-'jects will find ſome Way to let them and the 'World know: And from this Time ſuch who 'have been miſled by their ill Counſels, to have 'any Hand in the Execution of the *Militia*, will 'ſee to what Ends their Service is deſign'd; and 'therefore, if they ſhall preſume hereafter to meddle 'in it, they muſt expect that we will immediately 'proceed againſt them as actual Raiſers of Sedition, 'and as Enemies to our *Sovereign Power.*

'We have done: And ſhall now expect the '*worſt Actions* theſe Men have Power to commit

'againſt

'againſt us; *worſe Words* they cannot give us. And 'we doubt not but the Major Part of both Houſes 'of Parliament, when they may come together 'with their Honour and Safety, (as well thoſe who 'were ſurprized at the Paſſing of it, and underſtood 'not the Malice in it, and the Confuſion that muſt 'grow by it if believed, as thoſe who were abſent, 'or involv'd) will ſo far reſent the *Indignity* offered 'to us, the *Diſhonour* to themſelves, and the *Miſ-* 'chief to the whole Kingdom, by that *Declaration*, 'that they will ſpeedily make the *foul Contrivers* 'of it Inſtances of their *exemplary Juſtice*, and 'brand them and their *Doctrine* with the Marks of 'their perpetual *Scorn* and *Indignation*.'

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June 6. Both the Houſes received Intelligence from their Committee at *York*, concerning a prodigious Meeting of Gentlemen and Freeholders, which had appeared, at his Majeſty's *Summons*, on a Moor near that City, on the third of this Month. The Particulars thereof, in a Letter from the Lord *Howard* of *Eſkricke*, one of the ſaid Committee, directed to the Speaker of the Houſe of Peers, was read in theſe Words:

A Sixth Letter from the Lord Howard, with an Account of the King's Proceedings at York.

My Lord,

ACcording to the Commands of the Houſes, we preſented your Petition *and* Propoſitions *to the King, Yeſterday Morning; he heard them read, and told us*, He would take ſome Time to conſider of an Anſwer.

I doubt not but the Houſe will expect ſome Account from me of the great Meeting Yeſterday; yet I believe that no Man can fully ſatisfy to what it tended, or make any Judgment thereon, or what Senſe the Country had of it: For, as nothing was offered to them by way of Propoſition, ſo nothing was ſaid by them, only that divers Times there was made a very great Shout or Noiſe.

A printed Speech *was there read, in divers Places of the Field, which ſome heard, but many Thouſands went away, ſaying*, They could give no Account

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of the Cauſe of their being called together. *The Number was very great, thought to be about forty thouſand (k); the King came to the Place with the Prince, the Duke of* York, *the* Prince Elector *and moſt of the Lords that are in Town; the Regiment of Horſe, Trained-Bands, his Majeſty's Guard of Horſe of this County, his own Servants and the Soldiers that are about the Town; with whom he rode about the Field, ſtay'd a little, and then departed.*

A Petition *was offered to his Majeſty, by Sir* Thomas Fairfax, *in the Name of many Inhabitants of this County, but it was not accepted. There were but few Gentlemen at this Meeting, excepting thoſe who put themſelves upon the King's Guard; this* Summons *being intended, by his Majeſty, only for the Miniſters, Freeholders, Copyholders, and Farmers.*

We continue to ſuffer ſtill by the King's Diſpleaſure; for, when we were ready to take Horſe and accompany our Countrymen, it pleaſed his Majeſty to ſend the Earl of Newport *to us with this* Meſſage: That his Majeſty did command us that we ſhould not go to the Field, nor appear at all at this Meeting. *To which we returned this* Anſwer *by the Earl to his Majeſty,* That we would obey his Commands herein at this Time; but that we proteſted, It was a very high Breach of our Liberty, as we were Subjects and *Yorkſhiremen:* That we humbly conceived we were under no Reſtraint, at preſent, as Priſoners; not having deſerved any ſuch Affront or Puniſhment, by any thing we had ſaid or done: That there were divers Parliament-Men there, (who, we were confident, had not done ſo good Service to his Majeſty, in endeavouring the Peace of the Kingdom, as we had) who were not only admitted to this Meeting, but had much Reſpect from his Majeſty, while we ſuffered under theſe undeſerved Injuries: That tho', for the preſent, we ſhould forbear going, yet, if any thing ſhould happen wherein our Service ſhould be required by our *Inſtructions*, we

(k) In a printed Pamphlet of this Time we are told, the Number was deem'd to be 70 or 80,000, but that there were not preſent above 5000 Freeholders.

we muſt and would be ready to come and perform it.' An. 18. Car. I. 1642. June.

This Anſwer *being ſent accordingly, we reſolved to ſtay at our Lodgings, the Place of the Meeting being very near; and ſent divers of our Servants there, who we directed to give us particular Notice of what paſs'd; ſo that, if there had been Occaſion, we could preſently have been upon the Place, to have done any thing which had concerned our Duties.*

We are informed that the Earl of Newport *hath, by his Majeſty's Commands, ſent forth* Warrants, *that the Recuſants Arms, depoſited in any Part of this County, ſhall be brought to* York, *for his Majeſty's Service. This being, as we conceive, of ſome Conſequence, I thought it my Duty to acquaint the Houſe therewith; and ſhall ever remain*

York, June 4, 1642.

Your Lordſhip's
moſt humble Servant,
ED. HOWARD.

A Conference was held, this Day, between the two Houſes on the Subject of the foregoing Letter, *&c.* the Report of which was made to the Lords, in the Afternoon; wherein the Commons preſented their Lordſhips a printed Copy of the King's *Declaration* to the Miniſters, Freeholders, Farmers, and ſubſtantial Copyholders, aſſembled by his Majeſty's ſpecial *Summons* at *Heworth* Moor, near *York*, on the third of this Month; which was as follows: *(l)*

His Majeſty's Declaration to the Miniſters, Freeholders, Farmers, and Copyholders of that County.

'WE would have you to be aſſured, that we never intended the leaſt Neglect unto you in any former *Summons* of the Country; our Love, as well as our Protection, extending to all our Sub-

(l) This *Summons*, which being Matter of Form only we omit, and the King's *Declaration* are in *Ruſhworth* and *Husband*; but neither Lord *Howard*'s *Letter*, nor the following *Petitions*, *&c.* relating to this Meeting, are to be found in thoſe or our own *Collections*, although they were ordered by Parliament to be printed: They are all mentioned in the *Commons Journals*, but not there entered, and we give them from the *Lords*.

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'Subjects: But as you are a great Body, Time 'and Conveniency muſt be obſerved in your aſſem-'bling.

'That you may know the general Reaſons of 'our being here, you muſt underſtand, That when 'we found it neither ſafe nor honourable to expoſe 'our Perſon to the tumultuous and licentious Pro-'ceedings of many, (which to this Day are unpu-'niſhed) who did diſorderly approach near our 'Court at *Whitehall*, we truſted this Part of our 'Dominions chiefly to reſide in; where, as moſt 'of the Gentry already have, ſo we aſſure ourſelves 'the reſt of you will, give us clear Teſtimony of 'your Service and Obedience; which we will ne-'ver uſe otherwiſe than for the Defence of the true 'Orthodox Religion, profeſſed and ſettled in Queen '*Elizabeth*'s Time, and confirmed by the Autho-'rity of the Statutes of this Realm; the Defence of 'the Laws and Fundamental Conſtitutions of this 'Kingdom, as the juſteſt Meaſure and Rule for 'our Prerogative, and your Liberties and Rights; 'and, laſtly, for the Preſervation of the Peace of 'this Kingdom.

'As for our own Zeal to the *Proteſtant* Profeſ-'ſion, we refer all the World to our daily Exerciſe 'of it, and our *Declarations* concerning it, and to 'our Execution of the Laws againſt the *Papiſts*; ſo 'likewiſe we cannot but declare ourſelf moſt hearti-'ly ſorry to find ſuch *Separatiſts* and *Schiſmatics*, 'who preſume, againſt the Law, to foment new 'Doctrines and Diſciplines to the Diſturbance of 'Church and State.

'For the Law; it being the common Inheri-'tance of our People, we ſhall never inforce any 'Prerogative of ours beyond it, but ſubmit our-'ſelf to it; and give you, and all our Subjects, the 'fulleſt Latitude of it, both for the Liberty of your 'Perſons, and the Property of your Eſtates. And 'for an inviolable Confidence and Aſſurance here-'of as we take God, the Searcher of all Hearts, 'to witneſs our real Intention herein; ſo we ſhall 'no longer deſire you to ſtand for the Defence of

'our

'our Perſon, Honour, and juſt Prerogatives, than An. 18. Car. I. 1642.
'we ſhall maintain the Laws of the Land, the Li-
'berty of your Perſons, and the Property of your June.
'Goods.

'And for the clear Underſtanding of our Reſo-
'lutions to maintain Peace, we may have the Con-
'fidence and Happineſs to refer (againſt all Malig-
'nity whatſoever) to our former ſixteen Years Reign;
'(too long to diſſemble our Nature) if, in all this
'Time, we never cauſed the Effuſion of one Drop
'of Blood, it muſt needs be thought, that, in our
'riper Judgment in Government, we ſhould ne-
'ver open ſuch Iſſues as might drown us and our
'Poſterity in them: But we are ſure to have no
'Enemies, but in the Defence of the true *Prote-*
'*tant* Profeſſion, the Right of the eſtabliſhed Laws,
'and for the Preſervation of Peace: And certainly
'all ſuch as thoſe muſt be yours as well as our
'Enemies.

'And to the end that this preſent Poſture, where-
'in we meet, ſhould not affright you with the Diſ-
'tempers of the Times, (the Example of the two
'Houſes having made us prepare for a Guard to us
'and our Childrens Perſons) we wiſh you to look
'into the Compoſition and Conſtitution of it; and
'you will find it ſo far from the Face or Fear of
'War, that it ſerves to ſecure you, as well as us,
'from it; for our Choice is of the prime Gentry,
'and of one Regiment of our Trained Bands, which
'cannot be thought to oppreſs the Country, being
'their own, nor war with themſelves. And we
'further aſſure you, we never intended to uſe Fo-
'reigners or diſaffected in Religion; and, that you
'may fully aſſure yourſelves of our ſole Dependency
'upon the Love and Service of our own People, to
'live and die with them, we have armed theſe our
'Subjects; which had been moſt irrational, if we
'had ever intended to have uſed Strangers. And
'further, you may perceive that we do receive
'none, but ſuch as ſtand clear in Loyalty and Re-
'ligion; for which Reaſon we have cauſed the
'Oaths

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'Oaths of Allegiance and Supremacy to be given 'them. Likewiſe, to prevent any Diſtempers at 'home, we have and ſhall put the Trained Bands 'of all this our Kingdom, under the Command of 'Perſons of Honour, Confidence, and Affection to 'their Country; ſtraitly charging, upon their Al-'legiance, no Officer to accept any Command in 'them, nor Soldiers to obey any, ſave ſuch as are 'authorized by us. And for the Prevention of any 'innovated Power over you, you ſhall have us here 'to govern you, and the Soldiery to protect you 'in Peace, and to relieve you againſt all Oppreſ-'ſions; for that, as we have told you before, muſt 'ariſe from ſome great Violation, (which we hope 'God will prevent) and not from this Preparation 'of our Subjects. Therefore let none of you be 'affrighted with vain Fears; if ſuch a War ſhould 'follow, it follows the Authors home to their own 'Doors; and ſuch, by the Confidence of our Perſon 'with you, we aſſure ourſelf you are not.

'Here we had left you to your Fidelity and Du-'ty, had not ſome malicious Inſolence, in our for-'mer Meetings, ſent forth a moſt preſumptuous '*Summons*, deceiving our People, and preſuming 'upon our Royal Authority; and theſe preſent 'themſelves as great Defenders of Religion, Peace, 'and Liberty; whereas they become infectious and 'contagious to the People, ſeducing them into vain 'Fancies and Deluſions, as may appear by their 'Warrants, which we could trace to ſome Pulpits, 'as we are credibly informed: And you ſee it were 'juſt in us to puniſh theſe as Authors of Sedition, 'but that it would be too great a Favour; for it 'would honour them with the Title of Martyr-'dom, for God's Cauſe, as they vainly pretend: 'But you may now ſee from whence this Spirit 'comes, that would make us to be in the Act of 'Deſtruction of Religion, and our Perſon a Diſtur-'ber of the Peace, and ready to introduce Slavery.

'Theſe here are all the foreign Forces we have, 'or ever ſhall intend to have, to act theſe great

'De-

'Deſigns, notwithſtanding the vain Fears hitherto 'imagined. So that you ſee it is high Time that 'theſe Fancies were diſperſed and driven away, that 'we might be repaired in Honour and Intereſt, and 'you enjoy the Bleſſing of Peace and Happineſs, 'the Advancement whereof ſhall be our Study and 'Comfort: And therefore we ſhall, when you 'ſhall think it convenient Time, eaſe you in the 'Number of Trained Bands; and for your Billet-'Money, it had been long ſince paid, but that no 'Part of the Subſidies which we paſſed for that Pur-'poſe, came to our Hands; and we ſhall not be 'wanting, in any Thing that lieth in us, for the 'full Satisfaction thereof: But ſhall make our Grace 'and Bounty to you anſwerable to your beſt Fide-'lity and Loyalty, as Occaſion ſhall be offered to 'us.

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Next was read a Copy of the *Petition* of the County of *York*, which the King had refuſed to accept.

To the KING's Moſt Excellent Majeſty,

The HUMBLE PETITION of the GENTRY, MINISTERS, FREEHOLDERS, and other Inhabitants of the County of YORK.

Sheweth,

A Petition offered by Sir Thomas Fairfax, which the King refuſed to accept.

THAT this particular County (moſt affectionate to your Majeſty's Service) hath willingly, for three Years laſt paſt, been the Stage whereon the tragical Miſeries (which neceſſarily accompany War and Armies) have been repreſented and acted; whereby the general Wealth and Plenty of this County is exhauſted and brought very low; which Weight of Miſeries are ſenſibly become much more heavy by reaſon of your Majeſty's Diſtance in Reſidence, and Difference in Councils, from your great Council the Parliament; begetting great Diſtempers and Diſtractions throughout the Kingdom, and have evidently, amongſt us, produced Factions and Diviſions; drawing to theſe Parts

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Parts great Numbers of diſcontented Perſons, who, it may too juſtly be feared, do affect the Public Ruin for their private Advantage.

All theſe Evils are daily fomented, and grown more formidable, by your Majeſty's drawing together (as we conceive not according to Law) many Companies of the Trained Bands and others, both Horſe and Foot, of this County; by your entertaining Multitudes of Commanders and Cavaliers from other Parts; by the daily Reſort of Recuſants, and Perſons diſaffected in Religion, to your Majeſty's Court at York; *and by the great Preparation of Arms and other Warlike Proviſions. Theſe beget in us Fears of Wars, to the great Terror and Amazement of us your Majeſty's peaceable Subjects, and the great Decay of all Commerce and induſtrious Courſes for the Wealth and Proſperity of the Country, eſpecially of Cloathing, which is the main Subſiſtance of this County; and which is, ſince your Majeſty's Reſidence with us, and the following Diſtractions thereupon, ſuddenly obſtructed; inſomuch that many thouſand Families who are of, and have their Livelihood by, the Trade of Cloathing, are at the Point of utter Undoing; which inevitably will prove to be of dangerous Conſequence, and will be the Inlet to our approaching and unavoidable Ruin, unleſs your Majeſty graciouſly pleaſe to give Redreſs by removing the Cauſes, which will remove theſe miſerable Effects.*

It is too true that very many, in theſe and other Parts of the Kingdom, do wholly withdraw themſelves from their former Commerce and Dealing; and others, both Merchants and Chapmen, do now generally refuſe to make Payments for Goods long ſince ſold and delivered; alledging that others refuſe to pay them for any other Commodities formerly ſold, till the Fears and Diſtractions of the Land be ſettled: This, if not ſuddenly prevented, will forthwith overturn all ſuch Ways of Advantage and Comfort, as have formerly made this Kingdom, and this County in particular, proſperous and happy.

We do therefore, in all Humility and Duty, in the Senſe of our deplorable Condition, beſeech your Majeſty

to

to pardon us if we importune your Majeſty more than others; ſince we have endured, and are in Hazard, more than any; and that, from theſe Apprehenſions, we may offer to your Majeſty our earneſt Petitions for Redreſs and Prevention of theſe Evils, daily threatning Danger to your Majeſty and Deſtruction to us; which we conceive is impoſſible any other Way to be effected than by your Majeſty's entertaining a right Underſtanding betwixt yourſelf and Parliament; by inclining your gracious Ear and Conſent to ſuch Councils and Propoſitions *as ſhall be tendered, by them to your Majeſty, for the Honour and Greatneſs of your Majeſty and Poſterity, and the Good of the Church and Kingdom; by your Majeſty's declining all other Councils whatſoever, and uniting of your Confidence to your Parliament: And that your Majeſty would in no way think fit to put us upon that Rock of denying either the Duty we owe to your Majeſty, or to your Parliament and the whole Kingdom, to which we are ſo deeply engaged by our* Proteſtation; *which your Majeſty, to our Knowledge, never diſſented from nor declared againſt: And that, whilſt your Majeſty expects our Performance on our Part thereof, we may not, being equally engaged, impeach at all or in the leaſt Degree go againſt our Duty in the other; which we ſtand reſolved, by no Means either of Fear or Favour, to be drawn to do.*

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And we humbly intreat your Majeſty to take into Conſideration, That your Parliament being the ſupream Judicatory of your Kingdom, the very Eſſence thereof muſt of very Neceſſity be deſtroyed, if their Counſels and Determinations be ſubjected to Alteration or Reverſal by the Counſels or Opinions of any private Perſon, how learned or judicious ſoever: And, ſeeing your Majeſty hath moſt graciouſly paſſed an Act, That this Parliament ſhall not be diſſolved, nor adjourned, without Conſent of your Majeſty and both Houſes, we do humbly beſeech your Majeſty to take into your gracious and prudent Thoughts that nothing may be done tending thereunto; and that the Lords and great Officers, now called hither by your Majeſty's Command, may ſpeedily be returned to the High Court of Par-

An. 18. Car. I. 1642. June. *Parliament; whereby it may be evident to the World, that your Majeſty intends not to decline the Law ſo enacted: And that, ſince your Majeſty hath graciouſly declared your Confidence in the Affections of this County, your Majeſty would not think it fit an extraordinary Guard ſhould be raiſed thereout; and the Cavaliers, and others of that Quality, ſtill continued about your Majeſty, as Men moſt uſeful, and as if kept for ſome Deſign; they not having, for ought we know, either Intereſt in, or Affections to, the Public Good; their Language and Behaviour ſpeaking nothing but Diviſion and Wars, and their Advantage conſiſting in that which is moſt deſtructive to others.*

And, laſtly, *That ſince your Majeſty hath called in this County to attend your Majeſty this Day, your Petitioners do moſt humbly ſupplicate, That none, either Cavaliers or others, who in Truth have not preſent Fortunes in this County, may be admitted into any Meeting, this Day, concerning the Public Buſineſs thereof; nor hereafter be preſent at any* Vote *or Conſultation, when any further Meeting may be, to prepare and conſider of ſome fit* Anſwer *to what your Majeſty ſhall propound: We humbly conceiving it neither juſt nor equal (but a Thing to be proteſted againſt) that any whoſoever ſhould be thruſt upon us as Men of this County, that are not, by their Fortune and Reſidence, any Part of us.*

And now your Petitioners do moſt heartily pray, That the God of Heaven, in whoſe Hands are the Hearts of Kings, would this Day incline your Majeſty's Heart ſeriouſly to conſider the preſent and imminent Miſeries that this your Kingdom lies under; in the Peace whereof viſibly, under God, conſiſts the Preſervation of the Proteſtant *Religion, the Redemption of our Brethren in* Ireland, *and the Eſtabliſhing of that Kingdom to your Majeſty and Poſterity from thoſe deſperate and unparalleled Rebels.*

Your Majeſty's graciouſly granting of theſe your Petitioners humble Deſires, (whatſoever may be ſaid to the contrary) they are well aſſured, will abundantly redound to the Glory of God, the Honour and Safety of your Majeſty, and the Good of your Poſterity.—

Theſe

Theſe are the only probable Means, under God, to reſtore Peace and Plenty, and to make this your Kingdom happy; beſides the happy Acquiſition of your People's Hearts, the greateſt Treaſure of Princes: All theſe will, graciouſly, repreſent your Majeſty's lively Portraiture to him who is the Fountain of Wiſdom and Piety, to whom we ſhall ever pray for your Majeſty's long and proſperous Reign.

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Then was read another *Petition* from the Gentry, *&c.* of the ſame County to the Parliament, on Occaſion of the King's refuſing to receive the former.

To the Right Hon. the LORDS and COMMONS in the High Court of Parliament aſſembled.

The HUMBLE PETITION of the GENTRY, MINISTERS, FREEHOLDERS, and other INHABITANTS of the County of *York*, aſſembled there, at his MAJESTY'S Command, the third of *June* 1642.

Another to the Parliament, on his Majeſty's Refuſal of the former.

WE, being reſolved humbly to petition his Majeſty for the Redreſs of thoſe Grievances which we now lie under, did deſire to have met in the Caſtle Yard *at* York; *we conceiving it the fitteſt Place to conſider of ſuch Public Affairs as concerned the County: This we were not only denied, but Charge was given to the Officer there, that we ſhould not have Admittance: When we aſſembled upon the Place appointed by his Majeſty, and did acquaint the County, there met, with a Form of a* Petition, (*the Senſe whereof they formerly approved of; and then, upon the Reading thereof, generally conſented to, and deſired the ſame ſhould be preſented to his Majeſty) we were violently interrupted by the Earl of* Lindſey, *who, with a great Troop attending him, in an imperious Way, ſnatched out of a Gentleman's Hand of good Quality, a Copy of the aforementioned* Petition, *which, at the Deſire of the Country, he was reading to them: And ſaid,* You are a Company of Traiterous Rogues and Villains, *and often lifted up his Cane as if he would have ſtruck*

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ſtruck him. Alſo a Knight of this County was affronted by the Lord Saville, *upon his reading to himſelf the Draught of a* Petition *upon the Place aforeſaid, the Day above. Firſt, his Lordſhip told him.* It was a Pamphlet, *which he denied; thereupon the Lord* Saville *demanded it of him, which he refuſing to deliver, his Lordſhip laid Hands upon his Sword, and almoſt pluck'd him from his Horſe; and took the* Petition *from him, ſaying,* That he was labouring to ſow Seeds of Sedition; and, if he would fight, there would be Fighting enough. *Many of the ſaid Lord* Saville's *Company alſo held up their Canes at him; and one of them ſaid,* Hold your Prating, it were good to cane you. *This Provocation, had not the People been peaceably inclined, might have produced bloody Effects; notwithſtanding all which, and divers other inſufferable Injuries, ſo confident were we of his Majeſty's former Profeſſion,* Never to refuſe any *Petition* preſented by his People to him in an humble Way, *that we deſiſted not to wait our beſt Opportunity to preſent the ſaid* Petition *to his Majeſty; a Copy whereof we here humbly preſent unto your grave Conſiderations, which his Majeſty, notwithſtanding, pleaſed not to accept of.*

We therefore humbly deſire theſe Honourable Houſes well to weigh theſe Particulars, and to take ſuch Courſe therein, as may tend to the Preſervation of our Liberties, and the Peace of the Kingdom; and that you would be pleaſed to addreſs yourſelves to his Majeſty on our Behalf, that, through your Wiſdoms, our Deſire may find better Acceptation with his Majeſty.

And we ſhall heartily pray, *&c.*

Laſtly, was read a Copy of a Letter ſent from *York*, by Sir *John Bourchier* to Sir *Thomas Barrington*, Bart. a Member of the Houſe of Commons.

Dear Couſin,

Sir John Bourchier's Letter on the ſame Occaſion.

YEſterday, being at Heworth-Moor, *ſeeing one reading ſomething, I drew near to him, and by Inquiry I found that it was a* Petition, *that was to be*

be preſented preſently to his Majeſty; thoſe that heard it read approved of it. Meeting with a Friend, I inquired of him, if he had not the Petition, *or a Copy of it, which he told me, He had. I entreated him to lend it me, which accordingly he did: Having read Part of it, my Lord* Saville *came with a great Company, in a furious Manner, and demanded what I did there; and told me,* That I was reading ſome Pamphlet to the People, and that I was labouring to ſow ſome Seeds of Sedition to ſeduce the King's Subjects; *whereupon I told him,* It was a *Petition* that I was reading privately to myſelf, which, upon his Approach, I had put in my Pocket. *My Lord* Saville, *in an imperious Manner, demanded of me,* To deliver it to him, *which I refuſed: Then his Lordſhip laid his Hand upon the Belt of my Sword, and almoſt pulled me off my Horſe; and forced me to deliver the* Petition *to him. His Lordſhip told me,* If we loved Fighting we ſhould have Fighting enough; *I anſwered,* I came this Day to labour for Peace. *Before his Lordſhip's Departure, he told me,* That he knew me well enough; *I anſwered his Lordſhip,* I hoped he knew no Ill by me. *Many that were with his Lordſhip held up their Canes, in a terrifying Manner; and one of them ſaid,* Hold your Prating, it were good to cane you: *And when his Lordſhip and the reſt were gone, one of them turned back, and bid me* be quiet, elſe I ſhould be caned: *Adding,* That it were a good Deed to put me in the Stocks. *Afterwards, I being diſcourſing with Sir* Richard Darley *and ſome others, and telling them, how I was affronted, even now, by my Lord* Saville; *and formerly, having Fire thrown into my Coach, and ſome other Affronts done unto me, which I have formerly told you of, one Capt.* Playne, *who was one of my Lord* Saville's *Company, came up and told me,* I did ill to lay Aſperſions upon Perſons of Honour; *whereupon I told him,* I did not lay it upon my Lord, but only that I was ſo abuſed and affronted: *Upon due Conſideration, I verily believe he came to make ſome Quarrel.*

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Sir,

An. 18. Car. I. 1642. June. *Sir, upon my parting from you, you desired to hear from me here, I thought good to let you know thus much concerning myself. I rest,*

Your affectionate Cousin

York, June 4, 1642. to serve you,

JOHN BOURCHIER.

The Parliament declare the Earl of Lindsey and Lord Saville, Enemies to the State,

The Lords having taken into their Consideration all the foregoing Particulars, *ordered*, That the Earl of *Lindsey*, Lord Great Chamberlain, and the Lord *Saville* should be apprehended by the Sheriff of *Yorkshire*, and be conveyed, from Sheriff to Sheriff, to the House. These two Lords were, at the same Time, voted *Public Enemies of the State, and Incendiaries between the King and his People.*

The following *Resolution* was also agreed to by both Houses.

And resolve to support the Yorkshire Petitioners.

'The Lords and Commons, observing not only the Wisdom, but the Affections of the County of *York*, expressed in these *Petitions*; and likewise that they cannot be discouraged from their constant Fidelity to the Laws and Government of this Kingdom, which have their Life and Being from the Parliament; have thought fit to declare their good Acceptations of their Affections; assuring them, That they will interest themselves in those their Demands, which tend to the Honour and Safety of his Majesty, and the Peace of his Kingdom; and may prove an effectual Means to keep us from the desperate Mischiefs, which those Lords, that opposed this Petition, would have brought this Kingdom unto.'

The King having published, the latter End of last Month, a *Proclamation* concerning the *Militia*; and the same having been communicated to the Commons by their Committee at *York*, that House resolved to appoint another Committee to prepare a *Declaration* in Answer thereto, 'To shew how danger-

dangerouſly the Privileges of Parliament have been broken of late, even at this Time, when the King profeſſeth to rule by Law; and the dangerous Conſequences of theſe Breaches.' This *Declaration*, having gone through ſeveral Alterations by the Commons, was at length paſſed, and ordered to be ſent up to the Lords by Mr. *Pymme*. Their Lordſhips having agreed thereto, it was, by *Order* of both Houſes, printed and publiſhed this Day. But firſt we ſhall give the *Proclamation* itſelf. An. 18. Car. I. 1642 June.

By the KING.

A PROCLAMATION *forbidding all his Majeſty's Subjects, belonging to the* Train'd Bands *or* Militia *of this Kingdom, to riſe, march, muſter, or exerciſe, by virtue of any* Order *or* Ordinance *of one or both Houſes of* Parliament, *without Conſent or Warrant from his Majeſty, upon Pain of Puniſhment according to the Laws.*

The King's Proclamation forbidding Obedience to the Ordinance for the Militia.

'WHereas, by the Statute made in the ſeventh Year of King *Edward* I. *The Prelates, Earls, Barons, and Communalty of the Realm, affirmed in Parliament, That to the King it belongeth and his Part it is, by his Royal Seigniory, ſtraitly to defend wearing of Armour, and all other Force againſt the Peace, at all Times when it ſhall pleaſe him, and to puniſh them which ſhall do contrary, according to the Laws and Uſages of the Realm; and hereunto all Subjects are bound to aid the King as their Sovereign Lord, at all Seaſons, when Need ſhall be:* And whereas we underſtand that, expreſly contrary to the ſaid Statute, and other good Laws of this our Kingdom, under Colour and Pretence of an *Ordinance* of Parliament, without our Conſent, or any Commiſſion or Warrant from us, the Train'd Bands and Militia of this Kingdom have been lately, and are intended to be, put in Arms, and drawn into Companies in a warlike Manner, whereby the Peace and Quiet of our Subjects is, or may be, diſturbed: We being

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'ing desirous, by all gracious and fair Admonitions, 'to prevent that some malignant Persons in this our 'Kingdom do not, by Degrees, seduce our good 'Subjects from their due Obedience to us and the 'Laws of this our Kingdom; subtilly endeavour-'ing, by a general Combustion or Confusion, to 'hide their mischievous Designs and Intentions a-'gainst the Peace of this our Kingdom; and, un-'der a specious Pretence of putting our Train'd 'Bands into a Posture, to draw and engage our 'good Subjects in a warlike Opposition against us, 'as our Town of *Hull* is already by the Treason of 'Sir *John Hotham*; who, at first, pretended to put 'a Garrison into the same only for our Security 'and Service:

'We do therefore, by this our *Proclamation*, ex-'pressly charge and command all our Sheriffs, and 'all Colonels, Lieutenant-Colonels, Serjeant-Majors, 'Captains, Officers, and Soldiers belonging to the 'Train'd Bands of this our Kingdom, and likewise 'all High and Petty Constables, and other our Of-'ficers and Subjects whatsoever, upon their Alle-'giance, and as they tender the Peace of this our 'Kingdom, not to muster, levy, rise, or march, or 'to summon or warn, upon any *Warrant*, *Order*, 'or *Ordinance* from one or both our Houses of *Par-'liament*, (whereto we have not, or shall not give 'our express Consent) any of our Train'd Bands; 'or other Forces, to rise, muster, march, or exer-'cise, without express Warrant under our Hand, 'or Warrant from our Sheriff of the County, 'grounded upon a particular Writ to that Purpose, 'under our Great Seal. And in case any of our 'Train'd Bands shall rise, or gather together, con-'trary to this our Command, we shall then call 'them in due Time to a strict Account; and pro-'ceed legally against them as Violaters of the Laws, 'and Disturbers of the Peace of the Kingdom.'

Given at our Court at York, *the 27th Day of* May, 1642.

The

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The Parliament's DECLARATION, *in Anſwer to the foregoing* PROCLAMATION.

The Parliament's Declaration in Anſwer thereto.

'THE Lords and Commons, having peruſed 'his Majeſty's *Proclamation*, forbidding all 'his Majeſty's Subjects belonging to the Train'd 'Bands or Militia of this Kingdom, to riſe, march, 'muſter, or exerciſe, by virtue of any *Order* or '*Ordinance* of one or both Houſes of *Parliament*, 'without *Conſent* or *Warrant* from his *Majeſty*, 'upon Pain of Puniſhment according to the Laws: 'Do thereupon declare, That neither the Statute of '7. *Edward* I. therein vouched, nor any other Law 'of this Kingdom, doth reſtrain or make void the '*Ordinance* agreed upon by both Houſes of *Parlia-*'*ment* for the ordering and diſpoſing of the *Militia* 'of the Kingdom, in this Time of extream and 'imminent Danger; nor expoſe his Majeſty's Sub-'jects to any Puniſhment for obeying the ſame, 'notwithſtanding that his Majeſty hath refuſed to 'give his Conſent to that *Ordinance*; but ought to 'be obeyed by the Fundamental Laws of this King-'dom.

'The *Statute* of 7. *Edward* I. [*Anno* 1279.] quo-'ted in his Majeſty's *Proclamation*, runneth thus:

'The King to the Juſtices of his Bench ſendeth greeting:

'*Whereas of late, before certain Perſons deputed to* '*treat upon ſundry Debates had between us and certain* '*great Men of our Realm, amongſt other Things, it* '*was accorded, That, in our next Parliament, after* '*Proviſion ſhall be made by us and the common Aſ-*'*ſent of the Prelates, Earls, and Barons, that in all* '*Parliaments, Treaties, and other Aſſemblies which* '*ſhould be made in the Realm of* England *for* '*ever, every Man ſhall come without all Force and* '*Armour, well and peaceably, to the Honour of us,* '*and the Peace of us and our Realm; and now, in* '*our next Parliament, at* Weſtminſter, *after the ſaid* '*Treaties, the Prelates, Earls, Barons, and the Com-*'*munalty of our Realm there aſſembled to take Ad-*'*vice of this Buſineſs, have ſaid, That to us it belong-*'*eth, and our Part is, through our Royal Seigniority,*

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'*ſtraitly to defend Force of Armour, and all other* '*Force againſt our Peace, at all Times when it ſhall* '*pleaſe us; and to puniſh them which ſhall do contra-* '*ry, according to our Laws and Uſages of our Realm;* '*and hereunto they are bound to aid us, as their Sove-* '*reign Lord, at all Seaſons when Need ſhall be: We* '*command you that you cauſe theſe Things to be read* '*afore you in the ſaid Bench, and there to be enrolled.*

'Given at *Weſtminſter* the 30th Day of *October*.

'The Occaſion of this *Declaration* for the Reſtraint of armed Men, from coming to the Parliament to diſturb the Peace of it, is very improperly alledged for the Maintenance of ſuch Levies as are now raiſed againſt the Parliament; the Title of the Statute being thus, *To all Parliaments and Treaties every Man ſhall come without Force and Arms:* So that the Queſtion is not, Whether it belong to the King or no to reſtrain ſuch Force; but, if the King ſhall refuſe to diſcharge that Duty and Truſt, whether there is not a Power in the two Houſes to provide for the Safety of the Parliament, and Peace of the Kingdom? Which is the End for which the *Ordinance* for the *Militia* was made; and, being agreeable to the Scope and Purpoſe of the Law, cannot, in Reaſon, be adjudged contrary to it; for although the Law do affirm it to be in the King, yet it doth not exclude thoſe in whom the Law hath placed a Power for that Purpoſe, as in the Courts of Juſtice, in Sheriffs, and other Officers and Miniſters of thoſe Courts; and though their Power is derived from the King by his Patents, yet it cannot be reſtrained by his Majeſty's Command, by his Great Seal, or otherwiſe; much leſs can the Power of Parliament be concluded by his Majeſty's Command, becauſe the Authority thereof is of a higher and more eminent Nature than any of thoſe Courts.

'It is acknowledged that the King is the Fountain of Juſtice and Protection; but the Acts of Juſtice and Protection are not exerciſed in his own Perſon, nor depend upon his Pleaſure; but

'by

'by his Courts, and by his Miniſters, who muſt do their Duty therein, though the King, in his own Perſon, ſhould forbid them; and therefore, if Judgments ſhould be given by them againſt the King's Will and perſonal Command, yet are they the King's Judgments. An. 18. Car. I. 1642. June.

'The High Court of Parliament is not only a Court of Judicature, (enabled by the Laws to adjudge and determine the Rights and Liberties of the Kingdom againſt ſuch Patents and Grants of his Majeſty as are prejudicial thereunto, although ſtrengthened both by his perſonal Commands, and by his Proclamation under the Great Seal) but it is likewiſe a Council to provide for the Neceſſity, to prevent the imminent Dangers, and preſerve the Public Peace and Safety of the Kingdom, and to declare the King's Pleaſure in thoſe Things as are requiſite thereunto; and what they do herein hath the Stamp of Royal Authority, although his Majeſty, ſeduced by evil Counſel, do, in his own Perſon, oppoſe or interrupt the ſame; for the King's ſupream Power and Royal Pleaſure is exerciſed and declared in this high Court of Law and Council, after a more eminent and obligatory Manner, than it can be by any perſonal Act or Reſolution of his own.

'Seeing therefore the Lords and Commons, which are his Majeſty's greateſt and higheſt Council, have ordained, That, for the preſent and neceſſary Defence of the Realm, the Train'd Bands and Militia of this Kingdom ſhould be ordered according to that *Ordinance*; and that the Town of *Hull* ſhould be committed to the Cuſtody of Sir *John Hotham*, to be preſerved from the Attempts of *Papiſts* and other Malignant Perſons, who thereby might put the Kingdom into a Combuſtion: This is ſo far from being a Force againſt the King's Peace, that it is neceſſary for the keeping and ſecuring thereof, and for that End alone is intended; and all his Majeſty's loving Subjects, as well by that Law, as by other Laws, are bound to be obedient thereunto; and what they do

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'therein is, according to that Law, to be interpreted to be done in Aid of the King, in Diſcharge of 'that Truſt which he is tied to perform; and it is 'ſo far from being liable to Puniſhment, that if 'they ſhould refuſe to do it, or be perſuaded by any 'Commiſſion or Command of his Majeſty to do 'the contrary, they might juſtly be puniſh'd for the 'ſame according to the Laws and Uſages of the 'Realm; for the King, by his Sovereignty is not 'enabled to deſtroy his People, but to protect and 'defend them; and the High Court of Parliament, 'and all other his Majeſty's Officers and Miniſters, 'ought to be ſubſervient to that Power and Autho-'rity which Law hath placed in his Majeſty to that 'Purpoſe, though he himſelf, in his own Perſon, 'ſhould neglect the ſame:

'Therefore the Lords and Commons do declare 'the ſaid *Proclamation* to be void in Law, and of 'none Effect: For that, by the Conſtitution and 'Policy of this Kingdom, the King, by his Procla-'mation, cannot declare the Law contrary to the 'Judgment and Reſolution of any of the inferior 'Courts of Juſtice, much leſs againſt the High 'Court of Parliament; for if it were admitted, 'That the King, by his Proclamation, may de-'clare a Law, thereby his Proclamations will, in 'effect, become Laws; which would turn to the 'ſubverting of the Law of the Land and the 'Rights and Liberties of the Subjects.

'And the Lords and Commons do require and 'command all Conſtables, Petty Conſtables, and all 'other his Majeſty's Officers and Subjects whatſo-'ever, to muſter, levy, riſe, march and exerciſe; 'or to ſummon or warn any, upon Warrant from 'the Lieutenants, Deputy-Lieutenants, Captains, 'or other Officers of the Train'd Bands, and all 'others according to the ſaid *Ordinance* of both 'Houſes; and ſhall not preſume to muſter, levy, 'riſe, march, or exerciſe, by virtue of any Com-'miſſion or other Authority whatſoever, as they 'will anſwer the contrary at their Peril: And in 'their ſo doing they do further declare, That they

'ſhall

'ſhall be protected by the Power and Authority of both Houſes of Parliament; and that whoſoever 'ſhall oppoſe, queſtion, or hinder them in the Execution of the ſaid *Ordinance*, ſhall be proceeded againſt as Violaters of the Laws, and Diſturbers of the Peace of the Kingdom.' An. 18. Car. I. 1642. June.

June 7. On the firſt of this Month the Commons had ordered 50 *l.* to be paid to Mr. *Ruſhworth*, towards defraying the Charge of his ſeveral Journies to *York*: And that, upon his Return, they would further conſider his Merits, Pains, and Hazards in thoſe ſeveral Journies.—Accordingly we find, in the *Journals* of this Day, that the Houſe ordered him 100 *l.* more, and promiſed, That, for his Pains and Fidelity in theſe Services, they would take him into further Conſideration hereafter. A Gratuity of 150 l. given to Mr. Ruſhworth for his Services.

In the Afternoon of this Day a Letter, directed to the Speaker of the Houſe of Lords, was read as follows:

My Lord,

WE, whoſe Names are underwritten, have received a Summons, *dated the* 30*th Day of* May, *to appear, the* 8*th of* June, *at the Bar of the Houſe of Peers; we are come here to* York, *at this Time, to pay a willing Obedience to his Majeſty's Commands, ſignified by Letter under his Hand, which Commands remain upon us ſtill; and ſo we reſt* A Letter to the Houſe of Lords from nine Peers at York.

Your Lordſhips affectionate Servants,

NORTHAMPTON
WILL. DEVONSHIRE
MONMOUTH
R. RICH
HEN. DOVER
GREY of *Ruthyn*
C. HOWARD
THO. COVENTREY
ARTHUR CAPEL.

York, June 5, 1642.

Ordered,

An. 18. Car. I. 1642. June.

Ordered, That this *Letter* be taken into Conſideration To-morrow; and that all the Lords in Town have Notice to be preſent.

June 8. The Commons received a Meſſage from the Lords, deſiring a preſent Conference concerning certain *Letters* from the Lord *Willoughby* of *Parham*, Lord Lieutenant of *Lincolnſhire*, which was agreed to. Soon after Mr. *Holles* reported, That thoſe *Letters* concerned ſome Paſſages touching the *Militia* in that County; and delivered the ſame to the Houſe, which were read as follows:

Another from Lord Willoughby, concerning his raiſing the Militia in Lincolnſhire.

My Lord,

I Received a Letter from your Lordſhip, in which the Houſe is pleaſed to do me a very great Honour, far above any Deſert of mine, and little expected by me: For, my Lord, I well know my Obedience ties me to fulfil their Commands; and in what I have done, I have done but my Duty, and that which every honeſt Man ought to do, and oweth of Right to the Parliament; and whoſoever hath that Principle in him, it will dictate to him as much, and keep him from other Bye-ways. And for my own Part, my Heart ever was, and ſhall ever be, both forward and ready to obey their Lordſhips Commands in all Things, both with Integrity and Induſtry, and God's Curſe light upon him and his, that carries any other Heart about him.

My Lord, it is too mean a Way for me to expreſs my Acknowledgement, in Paper, to the Houſe for this high Favour, which I have received by your Lordſhip's Letter. I hope to make it appear to their Lordſhips, by my Actions, that I am not an ungrateful Servant.

It is a great Encouragement to theſe Parts, their Lordſhips Reſolutions, in giving their Commands to have the reſt of the Militia *put in preſent Execution; and truly, my Lord, it was out of that Regard that I did intimate it to my Lord of* Eſſex; *as holding it a Thing much conducing to the Public Good, and the only Remedy to cure theſe Diſtractions which the Kingdom is in, not out of any Regard to myſelf; for I know, if*

I

I ſuffer in executing their Lordſhips Commands, it muſt be againſt their Wills; and when that Day comes, I will not give a Straw for all I have, were I but a Looker-on. An. 18. Car. I. 1642. June.

My Lord, as I was this Day at Lincoln, *where I appointed to begin to muſter, there came a Meſſenger from his Majeſty, with this* Letter; *which I held it my Duty to acquaint the Houſe with, and likewiſe my* Anſwer; *and, as at* Lincoln, *ſo in all other Places, I ſhall be ready to ſerve your Lordſhip as*

Your moſt humble Servant,

Lincoln, June 6, 1642. F. WILLOUGHBY.

P. S. *My Lord, ere my Letter was ſealed up, I could not but give your Lordſhip an Account in how good a Poſture I found the Trained Bands of* Lincoln, *which was far beyond my Expectation; conſidering the Unhappineſs in the Sickneſs being ſpread in the Town, which hindered the Appearance of ſome: But, truly, my Lord, that was fully ſupplied by a Company of Voluntiers, equal in Number and Goodneſs of Arms to the Trained Bands.*

The King's Letter to Lord *Willoughby* of *Parham*.

CHARLES *R.*

Right Truſty and Well-beloved, we greet you well.

WHereas we underſtand that you have begun to aſſemble, train, and muſter the Trained Bands of our County of Lincoln, *under Pretence of an* Ordinance *of Parliament, whereto we have not given our Conſent; which is not only contrary to Law, but to our Command and Pleaſure ſignified by our* Proclamation *ſent to the Sheriff of that our County: Wherefore, that you may not hereafter plead Ignorance of ſuch our Prohibition, we do, by theſe our Letters, command and charge you, upon your Allegiance, to deſiſt and forbear to raiſe, muſter, train, exerciſe, or aſſemble together any Part of the Trained Bands* The King's Letter commanding him to deſiſt.

of

An. 18. Car. 1. 1642. June.

of that our County, either by yourſelf, or by any others employed under you, or by Warrant from you.

And becauſe you may, for what you have already done concerning the Militia *of that our County, plead that you had not ſo particular a Command, we ſhall paſs by what you have already done therein; ſo as preſently, upon your Receipt hereof, you ſhall deſiſt and give over meddling any further with any Thing belonging to the* Militia *of that our County; but if you ſhall not preſently deſiſt and forbear meddling therewith, we are reſolved to call you to a ſtrict Account for your Diſobedience therein, after ſo many particular and legal Commands given you, upon your Allegiance to the contrary, and ſhall eſteem and proceed againſt you as a Diſturber of the Peace of our Kingdom.*

Given at our Court at *York*, *June* 4, 1642.

Lord *Willoughby*'s Anſwer to his Majeſty.

SIR,

Lord Willoughby's Anſwer to his Majeſty.

AS there can be nothing of greater Unhappineſs to me, than to receive a Command from your Majeſty, whereunto my Endeavours cannot give ſo ready an Obedience, as my Affections; ſo I muſt confeſs the Difficulty, at this Time, not a little, how to expreſs that Duty which I owe to your Majeſty's late Commands, and not falſify that Truſt repoſed in me by your High Court of Parliament; through whoſe particular Directions I am now come into this County to ſettle the Militia, *according to the* Ordinance *of Parliament; which, by the Votes of my Lord* Littleton, *and others in the Houſe of Peers better verſed in the Laws than myſelf, paſſed as a legal Thing; and hath ſince been confirmed, if I miſtake not, by his Example, and your Majeſty's Chief Juſtice, Sir* John Bankes; *both in their accepting Commiſſions under that* Ordinance, *and nominating their Deputy-Lieutenants: How much farther they proceeded, I know not.*

But, Sir, if the Opinions of thoſe great Lawyers drew me into an Act unſuitable to your Majeſty's Li-

king

king, I hope the Want of Years will excuſe my Want of Judgment. And ſince, by the Command of the Parliament, I am now ſo far engaged in their Service, as the ſending out Warrants to ſummon the County to meet me this Day at Lincoln, *and afterwards in other Places, I do moſt humbly beſeech your Majeſty not to impoſe that Command upon me, which muſt needs render me falſe to thoſe that rely on me; and ſo make me more unhappy than any other Miſery that can fall upon me.* An. 18. Car. I. 1642. June.

Theſe Things, Sir, I once more humbly beſeech your Majeſty may be taken into your gracious Conſideration; and that you would never be pleaſed to harbour any Miſconceit of me, or of this Action; ſince nothing hath yet paſſed by my Commands here, or ever ſhall, but what ſhall tend to the Honour and Safety of your Majeſty's Perſon, to the Preſervation of the Peace of your Kingdom, and to the Content, I hope, of all your Majeſty's Subjects in theſe Parts; amongſt which I remain,

Your Majeſty's
moſt humble and moſt dutiful
Subject and Servant,
F. WILLOUGHBY.

Mr. *Holles* alſo acquainted the Houſe, That the Lords had paſſed a *Vote* upon Occaſion of the foregoing *Letters*, to which they deſired the Commons Concurrence, *in hæc Verba:*

'The Lords have thought fit to let you know, 'how much they value and approve the Endea- 'vours of this Lord, in a Service ſo much import- 'ing the Safety of this Kingdom; and they doubt 'not of your Readineſs to concur with them, upon 'all Occaſions, to manifeſt the Senſe they have, and 'ſhall retain, of his Deſervings; which appear the 'greater, by how much the Difficulties (by thoſe 'Circumſtances you have heard read) have been 'greater. And as my Lords reſolve to make his 'Intereſt their own, in this Service, for the Public 'Good, and Safety of this Kingdom, ſo they deſire 'you The Lords reſolve to ſupport the Lord Willoughby,

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'you to join with them, in ſo good and neceſſary 'a Work.'

The Commons agreed to this *Vote*; which, together with the *Letters*, was ordered to be printed and publiſhed.

The ſame Day the Lords took into Conſideration the Letter from the nine Lords at *York*, and agreed upon a Conference with the other Houſe about it, expreſſing their Senſe of the Matter in the following Manner:

And paſs a Vote againſt the nine Peers before-mentioned.

'The Lords having received a Letter from di-'vers of their Members, who have withdrawn 'themſelves from their Attendance in Parliament, 'contrary to the expreſs Orders and Commands of 'this Houſe; tho' this Affront be to their own Houſe, 'and by their own Members, yet, as it concerns the 'Safety of the Kingdom, and the very Being of Par-'liament, in the Conſequence of it, the Lords, in that 'Reſpect, thought it fit to communicate it to the 'Houſe of Commons; that both Houſes may, joint-'ly, endeavour to prevent ſuch Practices and De-'ſigns as, by the Malignant Party and the ill-affected 'Members of both Houſes, may be undertaken, to 'the Diſſolution of the Parliament, invalidating 'the Acts and Authority thereof, or raiſing a Power 'in Oppoſition thereunto; which the Lords can-'not but conceive thoſe Lords are encouraged unto 'by the Counſels now prevailing, and the Forces 'now raiſing at *York*; otherwiſe it is not imaginable, 'after a *Vote* paſſed by both Houſes, That it ap-'peared the King, ſeduced by wicked Counſel, in-'tended to make War againſt his Parliament, 'they would have taken the Boldneſs to have left 'the Houſe, in Contempt of the Command there-'of, and have gone to *York*; and, being ſummoned 'to appear, would have remained there notwith-'ſtanding, and have returned ſo ſlight and ſcornful 'an Anſwer.'

June 9. The Lords having deſired to know of the Commons, at a Conference, what real Informations

mations they have had, that the King had ſent out *Summons* into the County of *York*, and other Counties, for raiſing of Troops, *&c.* under Colour of his Majeſty's Service, with large Offers to thoſe that would come in. The Commons anſwered, That they had received Intelligence, at their Bar, that the King had ſent to ſummon *Lancaſhire*, *Cumberland*, and *Weſtmoreland*; and that ſome of their Members had Letters of the ſame: But they are willing to drop thoſe Counties, it being notorious only in *Yorkſhire*.

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Informations of the King's raiſing Troops:

June 10. This Day a *Meſſage* was brought from the Houſe of Commons, declaring, That their Members had entered into an Engagement, ſeparately, to bring in Money, Plate, and Horſes, for the Public Uſe; as the only Remedy to maintain the *Proteſtant* Religion, the King's Authority, and his Perſon in his Royal Dignity; the free Courſe of Juſtice, the Laws of the Land, the Peace of the Kingdom, and the Privileges of Parliament. They alſo hoped their Lordſhips would put the ſame in Execution, and declare themſelves and their Affections, what they would do therein, ſince they had more to loſe than the Houſe of Commons. *(n)*

Whereupon a Subſcription is begun, by both Houſes, of Money and Horſes,

Hereupon the Lords preſent ſubſcribed to bring in as follows:

	L.	*Horſes.*
The Lord Admiral, Earl of *Northumberland*, ——	2000	
Earl of *Eſſex* —— ——	1000	20
Earl of *Holland* — ——		30
Earl of *Pembroke* —— ——	1000	40
Earl of *Bedford* —— ——	800	

Earl

(n) Lord *Clarendon* informs us, 'That when this Subſcription was ſet on Foot in the Houſe of Commons, Sir *Henry Killigrew*, being called upon, told them, 'If there were Occaſion, he would 'provide a good Horſe, and a good Sword; and made no Queſtion 'but he ſhould find a good Cauſe:' But, within very few Days, both he, and all thoſe that were taken Notice of for refuſing, found it ſafeſt for them to leave the Town; there being very viſibly great Animoſity againſt them, both within and without the Walls.' *Clarendon's Hiſt. 8vo. Edit.* Vol. II. p. 651.

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	L.	*Horſe.*
Earl of *Leiceſter*, Lord-Lieutenant, going for *Ireland.*		
Earl of *Bolingbroke*	500	20
Earl of *Lincoln*		20
Lord *Say* and *Sele*	1000	
Earl of *Briſtol* deſired ſome Time to conſider of it.		
Lord *Paget*		10
Lord *Kimbolton*		10
Lord *Roberts*	1000	
Lord *Brooke*	1000	20
Lord *Grey de Werk*	1000	
Lord *Fielding*	500	10
Lord *North*	200	
Lord *St. John*		10
Lord *Rochfort*		10
Lord *Wharton*	300	6

The Horſemen were all to be compleatly armed, and many of the Lords engaged to ſerve in Perſon.

A Committee of Lords was appointed to receive the Anſwers of thoſe Lords who were abſent, how far they would act in this Affair; the Judges and other Aſſiſtants to the Houſe were alſo to be urged to ſubſcribe to it: And, in order to forward this Subſcription more effectually throughout the whole Kingdom, the following *Propoſition* was agreed to by both Houſes:

And a Propoſition for paying Eight per Cent. Intereſt to ſuch as contribute thereto.

'WHereas it appears that the King, ſeduced by wicked Counſel, intends to make War againſt his Parliament; and, in purſuance thereof, under Pretence of a Guard for his Perſon, hath actually begun to levy Forces both of Horſe and Foot, and ſent out *Summons* throughout the County of *York*, for the Calling together great Numbers; and ſome ill-affected Perſons have been employed in other Parts, to raiſe Troops, under Colour of his Majeſty's Service, making large Offers of Reward and Preferment to ſuch as will come in: And that his Majeſty doth, with a high and forcible Hand, protect and keep away Delinquents,

'quints, not permitting them to make their Ap- An. 18. Car. I.
'pearance, to anſwer ſuch Affronts and Injuries as 1642.
'have been by them offered unto the Parliament; June.
'and thoſe Meſſengers which have been ſent from
'the Houſes for them, have been abuſed, beaten,
'and impriſoned; ſo as the *Orders* of Parliament,
'which is the higheſt Court of Juſtice in this Realm,
'are not obeyed, and the Authority of it is altoge-
'ther ſcorned and vilified; and ſuch Perſons as
'ſtand well-affected to it, and declare themſelves
'ſenſible of theſe public Calamities, and of the Vi-
'olations of the Privileges of Parliament, and com-
'mon Liberty of the Subject, are baffled and inju-
'red by ſeveral Sorts of malignant Men who are
'about the King; ſome whereof, under the Name of
'*Cavaliers*, without having Reſpect to the Laws of
'the Land, or any Fear either of God or Man,
'are ready to commit all Manner of Outrage and
'Violence; which muſt needs tend to the Diſſolu-
'tion of this Government, the Deſtroying of Re-
'ligion, Laws, Liberty, and Property; all which
'will be expoſed to the Malice and Violence of
'ſuch deſperate Perſons, as muſt be employed in ſo
'horrid and unnatural an Act as the Overthrowing
'of a Parliament by Force, which is the Support
'and Preſervation of them all: This being duly
'conſidered by the Lords and Commons, and how
'great an Obligation lies upon them in Honour,
'Conſcience, and Duty, according to the high
'Truſt repoſed in them, to uſe all poſſible Means
'in ſuch Caſes, for the timely Prevention of ſo
'great and irrecoverable Evils; they have thought
'fit to publiſh their Senſe and Apprehenſion of this
'imminent Danger, thereby to excite all well af-
'fected Perſons to contribute their beſt Aſſiſtance,
'according to their ſolemn Vow and *Proteſtation*,
'to the Preparations neceſſary for the oppoſing and
'ſuppreſſing of the traiterous Attempts of theſe
'wicked and malignant Counſellors, who ſeek to
'engage the King in ſo dangerous and deſtructive
'an Enterprize, and the whole Kingdom in a Civil
'War,

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'War, and deſtroy the Privileges and Being of 'Parliaments: This Recourſe to the good Affec- 'tions of thoſe that tender their Religion and juſt 'Liberties, and the Enjoyments of the bleſſed Fruits 'of this preſent Parliament, which were almoſt 'ready to be reaped, and are now as ready to be 'ruined by thoſe wicked Hands, being the only 'Remedy left them, under God; and without 'which they are no longer able to preſerve them- 'ſelves, or thoſe by whom they are entruſted.

I. 'They the ſaid Lords and Commons do *de- 'clare*, That whoſoever ſhall bring in any Propor- 'tion of ready Money, or Plate, or ſhall under- 'write to furniſh and maintain any Number of 'Horſe, Horſemen, and Arms, for the Preſerva- 'tion of the Public Peace, and for the Defence of 'the King and both Houſes of Parliament from 'Force and Violence, and to uphold the Power 'and Privileges of Parliament according to his *Pro- 'teſtation*; it ſhall be held a good and acceptable 'Service to the Common Wealth, and a Teſti- 'mony of his good Affection to the *Proteſtant* Re- 'ligion, the Laws, Liberties, and Peace of this 'Kingdom, and to the Parliament and Privileges 'thereof.

'And becauſe a conſiderable Aid cannot be raiſed 'by few Hands, and the Condition of all Men's 'Eſtates and Occaſions is not always proportionable 'to their Affection, therefore no Man's Affection 'ſhall be meaſured according to the Proportion of 'his Offer, ſo that he expreſs his Good-Will to 'this Service in any Proportion whatſoever.

II. 'Whoſoever ſhall bring in any Money, or 'Plate, or ſhall furniſh and maintain any Horſe, 'Horſemen and Arms for the Purpoſes aforeſaid, 'ſhall have their Money repaid, with Intereſt, at 'Eight *per Cent.* and the full Value of their Plate, 'with Conſideration for the Faſhion, not exceed- 'ing one Shilling *per* Ounce; and ſhall have full 'Recompence for all their Charge, in finding, fur- 'niſhing, and maintaining of Horſe, Horſemen

'and

'and Arms; and for this both Houſes of Parlia- An. 18. Car. I.
'ment do engage the Public Faith. 1642.
June.

III. 'Four Aldermen of *London* ſhall be the 'Treaſurers, to receive all ſuch Money and Plate 'as ſhall be brought in, for the Purpoſes aforeſaid, 'whoſe Acquittances for the ſame ſhall be a ſuffi-'cient Ground for the Party, ſo lending Money or 'Plate, to demand it again with Intereſt, and alſo 'Conſideration for the Faſhion of the Plate.

'IV. 'Commiſſaries ſhall be appointed to value 'the Horſe and Arms furniſhed for this Service; 'and a Signification under their Hands of ſuch Va-'lues of the Horſe and Arms, and of the Time when 'firſt brought in, ſhall be a Warrant to demand 'Satisfaction according to the ſaid Values; and they 'ſhall keep an Account of the Time, from the firſt 'Inrolment of any ſuch Horſe and Horſemen, that 'ſuch as find and maintain them may be repaid, ac-'cording to the Rate of *2s. 6d. per Diem*, for ſo 'long Time as they have maintained them in this 'Service; and the Commiſſaries are to attend at '*Guildhall*, for the receiving and inrolling of ſuch 'Numbers of Horſe as ſhall be brought in.

V. 'Whoſoever ſhall bring in Money, or Plate, 'or ſhall provide and maintain Horſe, Horſemen, 'and Arms for this Service, ſhall do according to 'their Duty therein. And the Lords and Com-'mons do engage the Power and Authority of Par-'liament, to ſave them harmleſs from all Prejudice 'and Inconvenience that may befal them by occa-'ſion thereof.

VI. 'The Members of either Houſe, who are 'preſent, ſhall be deſired to declare in their Houſes 'reſpectively, what Money, or Plate, they will 'bring in, or what Horſe, Horſemen, and Arms 'they will find and maintain.

VII. 'It is *deſired*, That all ſuch as have Reſi-'dence in or about *London*, or within eighty Miles, 'will bring in their Money, Plate, or Horſe, with-'in a Fortnight after Notice; and they that dwell 'farther off, within three Weeks.

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VIII. 'And becauſe every Perſon may not be 'provided with preſent Money, or with Horſe, 'or not have his Plate with him, which he means 'to bring in, and yet reſolves to contribute his Part 'within the Time limited; and that it is neceſſary 'it ſhould be preſently known what the Proviſion 'will be, for the Effecting this great and important 'Service; it is *ordered*, 1. That the Committees 'of either Houſe, appointed for that Purpoſe re-'ſpectively, ſhall receive the Subſcriptions of ſuch 'Member of each Houſe, as have not declared 'themſelves in the Houſe, or are abſent upon the 'Public Service, or for their private Occaſions. '2. That the Committee in *London*, intruſted with 'the *Militia*, ſhall receive the Subſcriptions in *Lon-'don* and *Middleſex*. 3. That ſome Perſons, no-'minated by the Knights and Burgeſſes of each 'County, and approved by both Houſes, ſhall be 'appointed to receive the Subſcriptions in the ſeve-'ral Counties.

IX. '*Laſtly*, Whatſoever is brought in ſhall 'not at all be employed upon any other Occaſion, 'than to the Purpoſes aforeſaid; which are to 'maintain the Proteſtant Religion, the King's Au-'thority, and his Perſon in his Royal Dignity, 'the free Courſe of Juſtice, the Laws of the Land, 'the Peace of the Kingdom, and the Privilege of 'Parliament, againſt any Force which ſhall oppoſe 'them. And this by the Direction of both Houſes 'of Parliament.

Upon which vaſt Sums are raiſed.

Theſe *Propoſitions* of the Parliament had ſuch Effect, that, Lord *Clarendon* informs us, 'It was hardly credible what a vaſt Proportion of Plate was brought in to their Treaſurers within ten Days, there being hardly Men enough to receive it, or Room to lay it in; and the Throng being ſo great of the Bringers, that, in two Days Attendance, many could not be diſcharged of their Seditious Offerings.'—Mr. *Whitlocke* adds, 'That the Parliament was not only furniſhed with Money by Loans upon the Public Faith, but

but, by the Endeavours of ſundry Miniſters and others, a great Quantity of Money, Plate and Ammunition was brought in; even by ſome poor Women, to their Wedding-Rings and Bodkins!' *(o)* An. 18. Car. I. 1642. June.

But to return to our *Journals*:——

Mr. *Holles* having reported the Opinion of the Lords concerning the *Letter* from the Nine Peers at *York*, a Motion was made, That the Departing of theſe Nine Lords from the Parliament, without Leave, after ſuch Time as both Houſes had declared, that the King, ſeduced by wicked Counſel, intended to make War againſt the Parliament; and their ſtill Continuing at *York*, notwithſtanding their Summons and Commands, is a high Affront and Contempt of both Houſes: And that the ſaid Lords therein did as much as in them lay, that the Service of Parliament might be deſerted; and are juſtly ſuſpected to promote a War againſt the Parliament. The previous Queſtion being put, it was carried in the Affirmative by 109 Voices againſt 51. The Tellers on this remarkable Occaſion were, for the Yeas, Mr. *Holles* and Mr. *Cromwell*; for the Noes, Mr. *Waller* and Mr. *White*. The Nine Peers at York voted guilty of a Contempt,

Then it was *reſolved*, That a Committee be appointed to draw up an Impeachment againſt the ſaid Nine Peers. *(p)* And an Impeachment ordered againſt them.

June 11. Both Houſes were now very buſy in making *Orders* for ſtrengthening themſelves, and preventing any Men, Horſes, Armour, and Ammunition, from reſorting or being carried, for the King's Uſe, to *York*. The Commons inform'd the Lords of Letters of Intelligence they had received from *Holland*, concerning the Buying up Stores of Artillery, both great and ſmall; amongſt Informations of Ammunition being bought abroad, for the King's Uſe,

(o) Clarendon, p. 651. *Memorials*, p. 58.

(p) This Day the Commons took Notice of a Picture, or Print, of Sir *John Hotham* on Horſeback upon the Walls of *Hull*, and the King on Foot before the Walls; and ordered this ſcandalous Picture, as it is called, to be burnt by the common Hangman, and the whole Impreſſion to be ſeized.

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the reſt a Mortar for ſhooting Fire-Balls of 4800 *lb.* Weight, ſuch as one of the Letter Writers ſays, He hoped *England* would never need; and ſuch *Tormenta bellica* as, he believed, were never uſed there in any Age before. *(q)*.

June 13. The Lords received more Letters from the Lord *Willoughby* of *Parham*, reciting his Activeneſs in raiſing Forces, muſtering the Trained Bands, *&c.* in *Lincolnſhire* and the neighbouring Counties, Copies of which he tranſmitted to the Houſe. By theſe Accounts it appears that the Lord *Willoughby* and his Friends had thoſe Parts chiefly in Command; but were warmly oppoſed by the Earl of *Lindſey*, Sir *Philip Tyrwhit*, and Sir *William Pelham* of *Brocklesby*: The two laſt were ordered to be ſent for as Delinquents. A Committee of four Members of the Houſe of Commons were ſent into *Lancaſhire*, with *Inſtructions* of the like Nature as the former: Their Names were, Mr. *Aſhton*, Mr. *Shuttleworth*, Mr. *Rigby*, and Mr. *Moore*.

The Ordinance of Militia vigorouſly executed in Lincolnſhire.

June 14. The Lords had been informed, by the Commons, of a *Petition* that was then framing in *Somerſetſhire*, to be preſented to both Houſes, in which were great Aſperſions caſt upon the Parliament: A Copy of it was procured, and this Day read to the Houſe; which, becauſe it ſhews what Senſe ſome People had then of the Parliament's Proceedings, we give in its own Words. *(r)*

To the moſt High and Honourable Houſes of LORDS and COMMONS,

The HUMBLE PETITION of the KNIGHTS, GENTRY, CLERGY, and FREEHOLDERS of the County of *Somerſet*.

A Petition from Somerſetſhire, in favour of the King's Propoſal for an Accommodation.

WE, with all Thankfulneſs, do acknowledge your great Care and Pains, in the Service of the Common-Wealth, whereby you have obtained thoſe good Laws,

(q) Theſe Letters of Intelligence are at large in *Ruſhworth*, Vol. IV. p. 745. and *Husband*, p. 343.

(r) This *Petition* is taken from the *Lords Journals*: It is not entered in thoſe of the *Commons*.

Laws, which, by his Majeſty's Graciouſneſs and Favour, have been already enacted; and, not doubting of the Continuance of theſe Favours ſtill in you, for the Good and Peace of this Kingdom, and of your favourable Acceptance of theſe our humble Deſires, tho' we have been diſcouraged, heretofore, in Expreſſions of the like Kind, we do again humbly deſire, That the Church and Liturgy, eſtabliſhed by Law, may be continued and obeyed, untill ſuch Time as the Wiſdom of the King and Parliament, with the Aſſiſtance of a free and well-choſen Synod, of the moſt grave and learned Divines of this Kingdom, ſhall make ſome Reformation or Alteration therein; and, in the mean Time, that the Diſturbers thereof may be diſcountenanced and puniſhed. An. 18. Car. I. 1642. June.

That you would be pleaſed to bend your Endeavours to remove all Jealouſies and Miſunderſtandings between his Majeſty and the Parliament, the Diſtempers within being the greateſt Evils that can happen unto us, and which we moſt fear; and, to that end, to take into your Conſiderations his Majeſty's Meſſage *of the 20th of* January, *as the Means himſelf propoſes for an Accommodation; and that you would provide for his Security, by declaring againſt Tumults and unlawful Aſſemblies; and that you would take Care to ſuppreſs ſeditious Sermons and Pamphlets, which his Majeſty declares he expects, as the Means to invite him to come near to his Parliament.*

That ſeeing his Majeſty and Parliament do not agree in a new Way for ſettling the Militia, *it is humbly deſired that the Train'd Bands may be put into ſuch a Poſture, and governed as in the Time of Queen* Elizabeth, *untill a Law be made; and that the Diſputes about the Manner of doing it may not actuate Diviſion in the mean Time: That the Subject may have the Benefit of the* Petition of Right, *both for his Perſon and Eſtate, in all Cauſes and in all Courts; and that the Laws of the Kingdom may be our only Rule of Government and Obedience.*

That whereas great Sums of Money have been levied by Authority of Parliament, and greater are now required, we beſeech you to take Notice, that the

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Country is much impoveriſhed, and will, unwillingly, bear any farther Burden of this Kind, but ſuch as ſhall be employed for the general Service of this Kingdom and that bleeding Kingdom of Ireland; *and therefore we moſt humbly pray, that it may be made known how thoſe former Collections have been diſpoſed of; which will be a great Encouragement for the readier Payment of the preſent.*

Laſtly, *Since his Majeſty hath often, with ſacred Proteſtations, declared to his Parliament and People, That he will ever maintain the true* Proteſtant *Religion eſtabliſhed, the Laws of the Kingdom, and the Liberty of the Subject, which we do confidently believe; we do, therefore, humbly beſeech you, that Diſputes about Prerogative, and the Fear of a Malignant Party, or other Jealouſies, may not embroil you in the greateſt of Evils, as are thoſe of Civil Diſſentions, or Encouragements to act contrary to Conſcience; but that you would do your utmoſt to lay aſide all Diſtempers; and heedfully watch over the Peace and Safety of this Kingdom, which we will join with you in our earneſt Prayers to preſerve, and willingly adventure our Lives and Fortunes.*

The Perſons who were to have preſented this *Petition* to the Parliament, if there had not been a Stop put to it, were,

Sir *Francis Pawlet*,
Sir *Amias Pawlet*,
Sir *Henry Berkley*,
Sir *Charles Berkley*,
Sir *Edward Berkley*,
Sir *Francis Doddington*,
Sir *Francis Hawley*,
Sir *Samuel Gorges*,
Sir *Robert Philips*.

The chief of the Petitioners cenſured by the Parliament.

The Lords *ordered* Sir *Francis Doddington* and Sir *Charles Berkley* ſhould be ſummoned to attend the Houſe preſently; and others, mentioned by the Commons, to be ſent for on account of this *Petition*.

Sir *William Brereton*, with others, were ſent down with *Inſtructions* to act for the Parliament in the County of *Cheſter*.

The

The following Letter from the Lord-Keeper, directed to the Lord *Willoughby* of *Parham*, was read in the Houſe of Lords, which we give from their *Journals*: An. 18. Car. I. 1642. June.

My Lord,

HIS Majeſty was this Day pleaſed to ſhew me a Letter of your Lordſhip's unto him, wherein you have expreſſed that I gave my Vote in the Houſe of Peers for the Ordinance *touching the* Militia; *which he queſtioning, in regard he heard it otherwiſe related, I, thereupon, informed him the Truth; which is, That I was abſent from the Houſe on making the firſt* Ordinance, *which was preſented to him for his Aſſent; and being preſent when the ſecond was in Agitation, I gave my Vote againſt it; which his Majeſty hath commanded me to let you know, and is the Occaſion of this Letter from*

The Lord-Keeper's Letter, diſavowing his Voting for the Ordinance of the Militia.

Your Lordſhip's humble Servant,

York, June 7, 1642. EDW. LITTLETON.

But notwithſtanding the Lord Keeper's poſitive Denial of his Voting in favour of the *Ordinance* for the *Militia*, we find the contrary Account of his Conduct, as before given from Lord *Clarendon* and Mr. *Whitlocke*, fully juſtified by the following Entry in the *Lords Journals*:

The Lords *ordered* a Committee of three to ſearch the *Journals* for the Truth of this Matter; who immediately reported, 'That the Lord-Keeper was preſent when the *Petition* to the King concerning the *Militia* was agreed on: That he was preſent, voted, and argued for the following *Vote*, viz. *That, in caſe of extreme Danger, and of his Majeſty's Refuſal, the* Ordinance *agreed on by both Houſes doth oblige the People, and ought to be obeyed by the Fundamental Laws of this Kingdom.* Laſtly, That he named his Deputy-Lieutenants, and agreed to the ſeveral Forms of Deputations of the *Militia*.' Theſe Particulars, ſign'd by the Clerk, were *ordered* to be ſent to the Lord *Willoughby*, and forthwith printed and publiſhed.

The Lords appoint a Committee to inquire into that Affair.

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June 15. A Meſſage was brought from the Lower Houſe by Mr. *Denzil Holles*, containing an Impeachment againſt the Nine Lords who had wrote and ſigned the Letter from *York*; which he introduced with the following Speech: *(s)*

My Lords,

Mr. Holles's Speech upon Impeaching the Nine Lords at York.

'BY the Command of the Knights, Citizens, and Burgeſſes of the Houſe of Commons, I come hither unto your Lordſhips in the Behalf of the Parliament; or rather in the Behalf of the whole Kingdom, labouring with much Diſtraction, many Fears, great Apprehenſions of Evil and Miſchief intended againſt it; and now hatching and preparing by that Malignant Party, which thirſts after the Deſtruction of Religion, Laws, and Liberty; all which are folded up, cheriſhed, and preſerved in the careful Boſom of the Parliament.

'My Lords, the Parliament is the Foundation and Baſis of Government, and conſequently of the Peace and Happineſs of the Kingdom. As it creates the Law, by which we are ruled and governed in Peace and Quietneſs, ſo it preſerves the Law in Power and Authority: It watches over our Religion, that it be not ſupplanted and changed by ſuperſtitious Innovations; the Truth and Subſtance of it eaten up with Formality, vain Pomp, and unneceſſary Ceremonies; the groſs Errors of *Popery* and *Arminianiſm* impoſed upon us, as the Doctrine of our Church; a Way opened to all Licentiouſneſs; and Occaſion, hereby, taken to oppreſs and perſecute all religious and conſcientious Men that ſhall oppoſe theſe Proceedings, as hath been uſed of late. It is the Conſervative of the Rights and Liberties of the Subject, and the Corrective of Injuſtice and Oppreſſion; whereby equal Right is di-

(s) This Speech was ordered, by the Commons, to be printed; and by ſuch only as Mr. *Holles* ſhould appoint: Accordingly we find, in the Title thereof, this *Imprimatur*:

I appoint that none ſhall print this but Thomas Underhill.

DENZIL HOLLES.

This gave Occaſion to the King, in one of his *Declarations*, afterwards, to ſtyle Mr. *Holles* a *Monopoliſt*.

diſtributed to all, and every Man hath that Benefit and Protection of Juſtice, which is due unto him. It is that by which alone Common Neceſſities can be provided for, and Public Fears prevented: So that I may ſay, not only the Peace, Happineſs, and Well-being, but the very Being of this Kingdom, can have no other Bottom to ſtand upon but the Parliament, it being the Foundation upon which the whole Frame of the Common-Wealth is built. An. 18. Car. I. 1642. June.

'Therefore thoſe, who would deſtroy the Building, apply themſelves to undermine the Foundation. If they can take away Parliaments, or but weaken the Power and Authority of Parliament, which is all one, (for if it once have no Power, it will ſoon have no Being) they know then all will be at their Mercy, nothing will ſtand in their Way to oppoſe them; but a Flood of Violence will run over and cover the whole Surface of the Kingdom, and carry away all, both preſent Enjoyment, and future Hope of Religion, Liberty, and whatſoever elſe is precious and dear unto us,

'And, accordingly, it hath ever been the Policy of evil Counſellors (who are the greateſt Enemies we have in the World, or can have) to ſtrike at Parliaments, keep off Parliaments, break Parliaments, or divide Parliaments, by making Factions, caſting in Diverſions and Obſtructions, to hinder and interrupt the Proceedings of Parliament: All againſt the Parliament.

'Your Lordſhips have had Experience of this Truth in this Parliament; a Succeſſion of Deſigns upon it: Firſt to awe it, and take away the Freedom of it by the Terror of an Army; then to bring Force againſt it, actually to aſſault it, and, with the Sword, cut in ſunder this only Band, which ties and knits up King and People, the People among themſelves, and the whole Frame of this Government, in one firm, and I hope indiſſoluble, Knot of Peace and Unity.

'God diverted thoſe Deſigns, and did blow upon them; preſently another is ſet upon, which was to obſtruct and hinder our Proceedings, that, in the mean

An. 18. Car. I. 1642. June. mean time, the Flame of Rebellion might conſume the Kingdom of *Ireland*; and Diſtempers, Diſtractions and Jealouſies be fomented here at home, to tear out the Bowels of this Kingdom; the Parliament being diſabled from helping it, by occaſion of ſo many Diverſions, ſo much Buſineſs cut out unto it, many Obſtructions and Difficulties; eſpecially that great one from which all the reſt receive Countenance and Support, his Majeſty's abſenting himſelf, and not concurring with us; thus withdrawing both his Preſence and Influence; by which Means ſuch Remedies could not be applied as were neceſſary; and what was done, was done with infinite Trouble to the Parliament, and exceſſive Charge to the Subject, double, treble, what otherwiſe would have ſerved the Turn: So the Subject is grieved and oppreſſed with Charge, and the Blame of all is laid upon the Parliament; and the Parliament unjuſtly ſaid to be the Cauſe of all thoſe Evils, which the Authors of them had made ſo great; and ſo confirmed and ſecured by the frequent Interruptions of the Parliament, that they could not ſuddenly, nor eaſily, be ſuppreſſed or removed.

'Well, but, by God's infinite Bleſſing, the Parliament was in a fair Poſſibility to wade through this likewiſe; and though the Night had been black and ſtormy, ſome Day began to appear: Miraculouſly our Arms have proſpered in *Ireland*, and, God be praiſed, the malevolent Practices of theſe Vipers at home, as they appear'd, were, in ſome Sort, maſter'd; and the Parliament began to act and operate towards the ſettling of the great Affairs both of Church and State, and providing for the Defence and Safety of this Kingdom, againſt either foreign Invaſion, or any ſtirring of the diſaffected Party among themſelves.

'Then three Ways are together eſſayed for the weakening and invalidating the Proceedings and Power of the Parliament, and making Way for the utter Subverſion of it.

'*One*, Force is gathered together at *York*, under Pretence of a Guard for his Majeſty's Perſon, to make

make an Oppoſition againſt the Parliament; and, by a ſtrong Hand, to ſupport and protect Delinquents, ſo as no Order of Parliament can be obeyed, but on the other Side ſlighted and ſcorned; ſo to make the Parliament of no Reputation, to be but *Imago Parliamenti*, a meer Shadow, without Subſtance, without Efficacy. An. 18. Car. I. 1642. June.

'*Another*, To ſend out, in his Majeſty Name, (and as *Declarations* and *Meſſages* from him) bitter Invectives againſt the Parliament, to perplex it, and engage it, in the Expence of Time, to anſwer them; and beſides, cunningly to inſinuate and infuſe into the People, by falſe Colours and Gloſſes, a Diſopinion and Diſlike of the Parliament; and, if it be poſſible, to ſtir up their Spirits to riſe againſt it, to deſtroy it, (and, in it, all other Parliaments) to the Ruin of themſelves, their Wives and Children.

'The *third* Plot is, The Members are drawn away, and perſuaded to forſake their Duty and Attendance here, and go down to *York*; thereby to blemiſh the Actions of both Houſes, as done by a few and inconſiderable Number, and rather a Party than a Parliament; and, perhaps, to raiſe and ſet up an Anti-Parliament there.

'My Lords, this is now the great Deſign whereby they hope, by little and little, the Parliament ſhall even bleed to death, and moulder to nothing, the Members dropping away, one after another: A deſperate and dangerous Practice, and, as your Lordſhips well obſerved (when you were pleaſed to communicate this Buſineſs to us) an Effect of the evil Counſels, now prevailing and tending to the Diſſolution of the Parliament: Of this Parliament, which, under God, muſt be the Preſerver of three Kingdoms, and keep them firm and loyal to their King, ſubject to his Crown, ſave them from being turned into a Chaos of Diſorder and Confuſion, and made a diſmal Spectacle of Miſery and Deſolation: This Parliament, which is the laſt Hope of the long-oppreſſed, and, in other Countries, even almoſt wholly deſtroyed, *Proteſtant* Religion: This Parliament, which is the only Means to continue us to be a Nation

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tion of Freemen, and not Slaves, to be Owners of any Thing; that we may call our Wives, our Children, our Eſtates, nay our Bodies our own: In a Word, which muſt ſtand in the Gap to prevent an Inlet and Inundation of all Miſery and Confuſion.

'My Lords, this Parliament they deſire to deſtroy; but I hope it will deſtroy the Deſtroyers, and be a Wall of Fire to conſume them, as it is a Wall of Braſs to us, to defend King and Kingdom, us, and all we have.

'Your Lordſhips wiſely fore-ſaw this Miſchief, and as wiſely have endeavoured to prevent it, by making your *Orders*, to keep your Members here; as that of the ninth of *April*, and ſeveral other *Orders* enjoining them all to attend; thereby reſtraining them from repairing to *York*, where the Clouds were obſerved to gather ſo faſt, and threaten a Storm, and ſuch Preparations to be made againſt the Parliament, that it neceſſitated both Houſes to paſs a *Vote: That the King, ſeduced by wicked Counſel, intended to make War againſt the Parliament; and all who ſhall ſerve, or aſſiſt, in ſuch Wars, are declared to be Traitors*; which *Vote* paſs'd the 20th of *May*; ſo ſetting a Mark upon that Place, and declaring their Opinion concerning thoſe who ſhould at this Time reſort thither.

'Yet now, in ſuch a Conjuncture of Time, when the Kingdom had never more Need of a Parliament, and the Parliament never more Need of all the Help and Aſſiſtance of the beſt Endeavour and Advice of every Member; the Safety, and even the Being, of the three Kingdoms depending upon it; after ſuch *Orders* and Commands of your Lordſhips Houſe to the contrary; ſuch a *Vote* of both Houſes; and expreſly againſt their Duty, being called thither by Writ, under the Great Seal; which is the King's greateſt and higheſt Command, and not controulable, nor to be diſpenſed with, by any other Command from him whatſoever; and call'd, to treat and conſult *de arduis Regni*, the great, urgent and preſſing Affairs of the Kingdom, never more urgent, never more preſſing: Notwithſtanding all this, theſe Lords

Lords, the Earls of *Northampton*, *Devonſhire*, *Dover*, and *Monmouth*, the Lords, *Andover*, *Rich*, *Grey*, *Coventry*, and *Capel*, have left their Stations, withdrawn themſelves, and are gone to *York*; and being ſummoned to appear by an *Order* of the 30th of *May*, inſtead of Obedience, return a Refuſal, by a ſlighting and ſcornful Letter, which hath been ſo adjudged both by your Lordſhips and the Houſe of Commons. An. 18. Car. I. 1642. June.

'My Lords, the Houſe of Commons hath likewiſe, upon the Conſideration and Debate of this Buſineſs, finding it ſo much to concern the Safety of the Kingdom, and the very Being of the Parliament, paſſed this *Vote:*

'*That the Departing of theſe Nine Lords from the Parliament, without Leave, after ſuch Time as both Houſes had declared, That the King, ſeduced by wicked Counſel, intended to make War againſt the Parliament; and their ſtill Continuing at* York, *notwithſtanding their Summons and Command, is a high Affront and Contempt of both Houſes; and that the ſaid Lords, therein, did as much as in them lay, that the Service of the Parliament might be deſerted, and are juſtly ſuſpected to promote a War againſt the Parliament.*

'And the Houſe, in further Proſecution of their Duty in this particular, and in Purſuance of their *Proteſtation*, which obliges them to endeavour to bring to condign Puniſhment all ſuch high Offenders againſt not only the Privileges, but the very Eſſence of Parliament, have ſent me up to impeach theſe Lords, and deſire that ſpeedy and exemplary Juſtice may be done upon them.

'And, accordingly, I do here, in the Name of the Knights, Citizens and Burgeſſes of the Commons Houſe aſſembled in Parliament, and in the Name of all the Commons of *England*, impeach *Spencer* Earl of *Northampton*, *William* Earl of *Devonſhire*, *Henry* Earl of *Dover*, *Henry* Earl of *Monmouth*, *Charles* Lord *Howard* of *Charlton*, *Robert* Lord *Rich*, *Charles* Lord *Grey* of *Ruthen*, *Thomas* Lord *Coventry*, and *Arthur* Lord *Capel*, for theſe high Crimes and Miſdemeanors following, *viz.*

'For

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'For that, contrary to their Duty, they being Peers of the Realm, and ſummoned by Writ to attend the Parliament; and contrary to an *Order* of the Houſe of Peers of the ninth of *April* laſt, and ſeveral other *Orders*, requiring the Attendance of the Members of that Houſe; and after a *Vote* paſs'd in both Houſes the 20th of *May* laſt, *That the King, ſeduced by wicked Counſel, intended to make War againſt the Parliament, and that whoſoever ſerved, or aſſiſted, him in that War, was adjudged a Traitor*; did notwithſtanding, afterwards, in the ſame Month of *May*, contemptuouſly, having Notice of the ſaid *Votes* and *Orders*, withdraw themſelves from the ſaid Houſe of Peers, and repair to the City of *York*; where the Preparations of the ſaid War were, and yet are, in Contrivance and Agitation, they knowing of ſuch Preparations; and being, by an *Order* of the 30th of *May*, duly ſummon'd by the Houſe of Peers, to make their Appearance before that Houſe upon the 8th Day of *June* Inſtant, they refuſed to appear; and returned a ſcornful Anſwer, by a Letter under their Hands, directed to the Speaker of the Lords Houſe, and remaining there upon Record.

'For which Crimes and Miſdemeanors, to the Interruption of the Proceedings of Parliament and great Affairs of the Kingdom; tending to the Diſſolution of the Parliament, and Diſturbance of the Peace of the Kingdom; I am commanded, in the Name of the ſaid Commons, to demand of your Lordſhips, That the ſaid Lords may be forthwith put to their *Anſwer*, and receive ſpeedy and exemplary Puniſhment, according to their Demerits:

'The Commons ſaving to themſelves Liberty, at all Times hereafter, to exhibit any other or further Impeachment or Accuſation againſt the ſaid Lords, or any of them.

Ordered, That the impeached Lords ſhould have Notice to anſwer in ſixteen Days Time. And both the Houſes agreed to recall their joint Committee at *York*.

The

The ſame Day two of the Company of Stationers were ſent for by the Commons, and they attending accordingly, Mr. Speaker ſtrictly enjoin'd them to be very careful and diligent in ſearching after any Thing that is printed, that may reflect upon his Majeſty: And an *Ordinance* was *ordered* to be drawn, for preventing the printing and publiſhing of any ſcandalous or libellous Pamphlet, that may reflect upon the King or the Kingdom, the Parliament, or *Scotland*; and for the ſuppreſſing of ſuch as have already been printed. An. 18. Car. I. 1642. June. Order againſt printing of ſcandalous Pamphlets.

June 16. The Lords received Intelligence from their Lord-Lieutenants in ſeveral Counties in *England*, of their great Succeſs in putting the Parliament's *Orders*, concerning the *Militia*, in Execution; and the great Chearfulneſs the Country expreſſed in ſubmitting to their Commands. Many *Orders* were iſſued concerning raiſing Men, and buying of Horſes and Armour: In ſhort, the whole Military and Naval Force of this Kingdom ſeem, by the *Journals*, to be as much put into Motion, as if a general Invaſion was expected from all the united Forces of *Europe*. The Parliament's great Succeſs in executing their Ordinance for the Militia.

This being the Day appointed for a Call of the Houſe of Commons, the ſame was done with great Strictneſs; when it appears, by the *Journals*, that ſixty-five Members, there named, were abſent. It may eaſily be ſuppoſed that theſe Gentlemen had all, or moſt of them, deſerted the Houſe, and were gone to the King at *York*. On this Deficiency a Motion being made, That thoſe abſent Members, whoſe Names were now read, ſhould not ſit in the Houſe, till they had made their Excuſe to a Committee appointed for it, and that Excuſe reported and allowed of by the Houſe, it was carried in the Affirmative by 147 Voices againſt 91. This Committee were alſo authorized to conſider about levying the Fines of 100 *l.* before impoſed upon the abſent Members: But another Motion being made, That whatſoever Member ſhould withdraw himſelf from the Service of the Houſe, without particular A Call of the Houſe of Commons.

An. 18. Car. I. 1642. June. ticular Leave of the Houſe firſt obtained, ſhall forfeit 20 *l.* it was carried in the Negative, by 100 againſt 79.

About this Time the King publiſhed the following *Declaration*, which he had made to all the Peers, and others of his Privy Council, at *York*, the 13th of this Month; together with their *Engagement* thereupon.

CHARLES *R.*

The King's Declaration to his Privy Council at York.

'WE do *declare*, That we will not require, nor exact, any Obedience from you, but what ſhall be warranted by the known Law of the Land; as we do expect that you ſhall not yield to any Commands not legally grounded, or impoſed, by any other.

'And we do further *declare*, That we will defend every one of you, and all ſuch as ſhall refuſe any ſuch Commands, whether they proceed from *Votes* and *Orders* of both Houſes, or any other Way, from all Dangers and Hazards whatſoever.

'And we do further *declare*, That we will defend the true *Proteſtant* Religion eſtabliſhed by the Law of the Land, the lawful Liberties of the Subjects of *England*, and juſt Privileges of all the three Eſtates of Parliament; and ſhall require no further Obedience from you, than as accordingly we ſhall perform the ſame.

'And we do *declare*, That we will not (as is falſly pretended) engage you, or any of you, in any War againſt the Parliament, except it be for our neceſſary Defence and Safety againſt ſuch as do inſolently invade or attempt againſt us, or ſuch as ſhall adhere to us.'

The ENGAGEMENT of the LORDS and others.

Their Engagement thereupon.

WE do engage ourſelves not to obey any Orders or Commands whatſoever, not warranted by the known Laws of the Land.

We do engage ourſelves to defend your Majeſty's Perſon, Crown, and Dignity, together with your Ma-

Majeſty's juſt and legal Prerogative, againſt all Perſons and Power whatſoever. An. 18. Car. I. 1642. June.

We will defend the true Proteſtant *Religion eſtabliſhed by the Law of the Land, the lawful Liberties of the Subjects of* England, *and juſt Privileges of your Majeſty and both your Houſes of Parliament.*

And, laſtly, we engage ourſelves not to obey any Rule, Order, or Ordinance whatſoever, concerning any Militia, *that hath not the Royal Aſſent.* (*t*)

York, June 13, 1642.

Subſcribed by

Lord Keeper Littleton
Duke of Richmond
Marquis of Hertford
Lord Great Chamberlain, Earl of Lindſey
Earl of Cumberland
Earl of Bath
**Earl of* Huntingdon
Earl of Southampton
Earl of Dorſet
Earl of Saliſbury
Earl of Northampton
Earl of Devonſhire
Earl of Cambridge
Earl of Briſtol
Earl of Clare
Earl of Weſtmoreland
Earl of Berkſhire
Earl of Monmouth
Earl Rivers
**Earl of* Newcaſtle
Earl of Dover
Earl of Caernarvon
Earl of Newport
Lord Grey *of* Ruthyn
Lord Mowbray *and* Maltravers
**Lord* Fauconbridge
Lord Willoughby *of* Ereſby
Lord Howard *of* Charlton (*Viſcount* Andover)
Lord Pierepoint (*Viſcount* Newark)
Lord Paulet
Lord Lovelace
Lord Rich
**Lord* Chandois
Lord Saville
Lord Paget
Lord Mohun
Lord Coventry
Lord Dunſmore
Lord Seymour
Lord Capel
Lord Falkland, *Secretary of State*
Mr. Comptroller, Sir Peter Wych
Mr. Secretary Nicholas
Mr. Chancellor of the Exchequer, *Sir* John Colepeper
Lord Chief Juſtice Bankes.

(*t*) This Liſt is taken from the original Edition, printed at *York* by *Robert Barker*, in the Collections of the late Sir *John Napier*, Bart. The Names of the Peers diſtinguiſhed thus * are omitted in Lord *Clarendon*'s Liſt.

An. 18. Car. I. 1642. June.

To theſe were annexed a ſolemn *Profeſſion* of the King, diſavowing any Intentions of raiſing a War againſt his Parliament; and alſo a *Declaration* of the Peers, and others of his Privy Council, in Confirmation thereof. And firſt

His Majeſty's DECLARATION *and* PROFESSION.

The King diſavows any Intention of raiſing a War againſt the Parliament.

'THERE having been many Rumours ſpread, and Informations given, which may have induced many to believe that we intend to make War againſt our Parliament; we profeſs before God, and declare to all the World, that we always have and do abhor all ſuch Deſigns; and deſire all our Nobility and Council, who are here upon the Place, to declare whether they have not been Witneſſes of our frequent and earneſt *Declarations* and *Profeſſions* to this Purpoſe; whether they ſee any Colour of Preparations, or Counſels, that might reaſonably beget a Belief of any ſuch Deſign; and whether they be not fully perſuaded that we have no ſuch Intention; but that all our Endeavours (according to our many *Profeſſions*) tend to the firm and conſtant Settlement of the true *Proteſtant* Religion, the juſt Privileges of Parliament, the Liberty of the Subject, the Law, Peace, and Proſperity of this Kingdom.'

Given at our Court at York *this* 15*th of* June, 1642.

The DECLARATION *and* PROFESSION *of the* Lords *and others of his Majeſty's Privy Council at* York.

York, June 15, 1642.

Which is confirm'd by his Privy Council.

WE whoſe Names are underwritten, in Obedience to his Majeſty's Deſire, and out of the Duty which we owe to his Majeſty's Honour and to Truth, being here upon the Place, and Witneſſes of his Majeſty's frequent and earneſt Declarations *and* Profeſſions *of his abhorring all Deſigns of making War upon his Parliament; and not ſeeing any Colour of Preparations, or Counſels, that might reaſonably beget the Belief of any ſuch Deſign; do profeſs before God, and deſtify to all the World, That we are fully perſuaded that*

that his Majeſty hath no ſuch Intention; but that all his Endeavours tend to the firm and conſtant Settlement of the true Proteſtant *Religion, the juſt Priviledges of Parliament, the Liberty of the Subject, the Law, Peace, and Proſperity of this Kingdom.* An. 18. Car. I. 1642. June.

Subſcrib'd by the ſame Lords and others, as before.

Lord *Clarendon*, who is more than ordinarily circumſtantial in the Tranſactions of this Month, informs us of an Affair not taken Notice of by the other cotemporary Writers, which we ſhall give in his own Words.——Speaking of the great Number of Peers and Members of the Houſe of Commons, who now reſorted daily to the King at *York*, he obſerves, 'This glorious Convention was rather an Ornament to his Court, than any great Advantage to his Counſels; and the Uſe of them more to diſcredit the ſmall Remainder at *Weſtminſter*, and that the People might ſee the Number and Quality of the Diſſenters, than that they contributed any Thing to the active Improvement of his Affairs.'—As a Proof of which he adds, 'That the King deſired the Peers in Council, to ſet down, in Writing, the Affronts and Violence which had been offered to them at *London*, by which their Preſence in the great Council of the Kingdom was rendered both unſafe and diſhonourable; the which they the more willingly condeſcended to, for that the *London* Pamphlets already aſperſed them as Deſerters of the Parliament, and Betrayers of the Liberty of their Country. An Inſtrument was drawn up, and agreed upon between them, in which they ſet down 'the 'Tumults, and the Violence offered to particular Per- 'ſons in thoſe Tumults; the Threats and Menaces 'of the Rabble at the Doors of the Houſe, when they 'had a mind any exorbitant Thing ſhould paſs; the 'Breach and Violation of the old Orders and Rules 'of Parliament, whilſt Matters were in Debate, and 'the reſuming Matters again in a thin Houſe; and 'reverſing, waving, or contradicting *Reſolutions* 'made in a full Houſe: And, *laſtly*, Mr. *Holles's* 'coming

A Farther Declaration, ſubſcribed by them, in his Favour.

An. 18. Car. I. 1642. June. ‘ coming to the Bar, and demanding the Names of ‘ thoſe Lords who refuſed to conſent to the *Militia*, ‘ when the Multitude without menaced and threat- ‘ ened all thoſe Diſſenters.’ After which they ſaid, ‘ They conceived they could not be preſent ‘ there with Honour, Freedom, or Safety; and ‘ therefore forebore to be any more preſent; and ‘ ſo all thoſe *Votes*, *Concluſions*, and *Declarations* had ‘ paſſed, which had begot theſe Diſtractions through- ‘ out the Kingdom.’ And this they delivered to the King, ſign'd under their Hands. And yet (which is a ſufficient Inſtance how unendued Men were with that Spirit and Courage which was requiſite) the next Day after the Delivery many Lords came to his Majeſty, and beſought him, ‘ That he would ‘ by no Means publiſh that Paper, but keep it in his ‘ own Hands;’ ſome of them ſaying, ‘ That if it ‘ were publiſhed, they would diſavow it:’ So that material and weighty Evidence, which then might have been of ſovereign Uſe to the King, was rendered utterly ineffectual to his Service; his Majeſty finding it neceſſary to engage his Princely Word to them, ‘ never to make it public without their Con- ‘ ſent;’ which he performed moſt punctually; and ſo, to this Day, it was never divulged.’——Thus far the Noble Hiſtorian.

The King, being thus diſappointed, was obliged to content himſelf with the foregoing *Engagement* and *Teſtimony* of the Lords and Counſellors; which were immediately printed and publiſhed, together with the following *Declaration*:

And a Declaration of the King on the ſame Subject. ‘ THOUGH we have, within theſe laſt ſeven ‘ Months, met with ſo many ſeveral En- ‘ counters of ſtrange and unuſual *Declarations*, un- ‘ der the *Names of both our Houſes of Parliament*, ‘ that we ſhould not be amazed at any new Prodigy ‘ of that Kind; and though their laſt, of the 26th ‘ of *May*, gave us a fair Warning that, the Con- ‘ trivers of it having ſpent all their Stock of bitter ‘ and reproachful Language upon us, we were to ‘ ex-

'expect they ſhould now break out into ſome bold 'and diſloyal Actions againſt us: And having, by 'that *Declaration*, (as far as in them lies) diveſted us 'of that Pre-eminence and Authority which God, 'the Law, the Cuſtom and Conſent of this Na- 'tion had placed in us; and aſſumed it to them- 'ſelves; that they ſhould likewiſe, with Expedi- 'tion, put forth the Fruits of that Supreme Power, 'for the violating and ſuppreſſing that Power they 'deſpiſed; (an Effect of which Reſolution their 'wild *Declaration* againſt our *Proclamation* concern- 'ing the pretended *Ordinance* for the *Militia*, and 'the Puniſhing of the Proclaimers appears to be) 'yet we muſt confeſs, in their laſt Attempt, (we 'ſpeak of the laſt we know, they may probably 'ſince, or at this preſent, have outdone that too) 'they have outdone what we conceive was their 'preſent Intention; and whoſoever hears of *Propo- 'ſitions* and *Orders* for bringing in of Money and 'Plate to maintain Horſe, Horſemen, and Arms, 'for the Preſervation of the Public Peace, or for 'the Defence of the King and both Houſes of Par- 'liament, (ſuch is their *Declaration*, or what elſe 'they pleaſe to call it, of the 10th of *June*) will 'ſurely believe the Peace of this Kingdom to be ex- 'treamly ſhaken; and, at leaſt, the King himſelf 'to be conſulted with, and privy to theſe *Propoſi- 'tions:* But we hope that (when our good Subjects 'ſhall find, that this goodly Pretence of *the De- 'fence of the King* is but a ſpecious Bait to ſeduce 'weak and inconſiderate Men into the higheſt Acts 'of Diſobedience and Diſloyalty againſt us, and of 'Violence and Deſtruction upon the Laws and Con- 'ſtitutions of the Kingdom) they will no longer be 'captivated by an implicit Reverence to the Name of '*both Houſes of Parliament*; but will carefully exa- 'mine and conſider what Number of Perſons are 'preſent, and what Perſons are prevalent in thoſe 'Conſultations; and how the Debates are probably 'managed, from whence ſuch horrid and monſtrous 'Concluſions do reſult; and will, at leaſt, weigh 'the Reputation, Wiſdom, and Affection of thoſe

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'who are notoriouſly known, out of the very Horror of their Proceedings, to have withdrawn themſelves, or, by their Skill and Violence, to be driven from them and their Councils.

'Whilſt their Fears and Jealouſies did ariſe, or 'were infuſed into the People, from Diſcourſes of 'the Rebels in *Ireland*, of Skippers at *Rotterdam*, 'of Forces from *Denmark*, *Frante*, or *Spain*, (how 'improbable and ridiculous ſoever that Bundle of 'Informations appeared to all wiſe and knowing 'Men) 'tis no Wonder if the Eaſineſs to deceive, 'and the Willingneſs to be deceived, did prevail over 'many of our weak Subjects to believe, that the 'Dangers which they did not ſee might proceed 'from Cauſes which they did not underſtand; but 'for them to *declare* to all the World, *That we intend to make War againſt our Parliament*, (whilſt 'we ſit ſtill, complaining to God Almighty of the 'Injury offered to us, and to the very Being of Parliaments) and that we have already begun actually 'to levy Forces both of Horſe and Foot, (whilſt we 'have only, in a legal Way, provided a ſmaller 'Guard for the Security of our own Perſon, ſo 'near a Rebellion at *Hull*, than they have had, 'without lawful Authority, above theſe eight 'Months, upon imaginary and impoſſible Dangers) 'to impoſe upon our People's Senſe, as well as their 'Underſtanding, by telling them we are doing that 'which they ſee we are not doing, and intending 'what they all know (as much as Intentions can be 'known) we are not intending, is a Boldneſs agreeable to no Power, but the Omnipotence of thoſe '*Votes*, whoſe abſolute Supremacy hath almoſt 'brought Confuſion upon King and People; and 'againſt which no Knowledge in Matter of *Fact*, or 'Conſent and Authority in Matter of *Law*, they 'will endure ſhall be oppoſed.

'We have upon all Occaſions, with all poſſible 'Expreſſions, profeſſed our faſt and unſhaken Reſolutions for Peace; and we do again, in the Preſence of Almighty God, our Father and Redeemer, 'aſſure the World, That we have no more Thought

'of

'of making a War againſt our Parliament, than 'againſt our own Children; that we will maintain 'and obſerve the Acts, aſſented to by us this Par- 'liament, without Violation, of which that for the 'frequent aſſembling of Parliaments is one; and 'that we have not, or ſhall not have, any Thought 'of uſing any Force, unleſs we ſhall be driven to it 'for the Security of our Perſon, and for the De- 'fence of the Religion, Laws, and Liberty of the 'Kingdom, and the juſt Rights and Privileges of 'Parliament; and therefore we hope the Malignant 'Party, who have ſo much deſpiſed our Perſon, 'and uſurped our Office, ſhall not, by their ſpe- 'cious and fraudulent Inſinuations, prevail with 'our good Subjects to give Credit to their wicked 'Aſſertions, and ſo to contribute their Power and 'Aſſiſtance for the Ruin and Deſtruction of us and 'themſelves.

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'For our Guard about our Perſon, (which not 'ſo much their Example as their Provocation in- 'forced us to take) 'tis known it conſiſts of the 'prime Gentry, in Fortune and Reputation, of this 'County, and of one Regiment of our Trained 'Bands; who have been ſo far from offering any 'Affronts, Injuries, or Diſturbance to any of our 'good Subjects, that their principal End is to pre- 'vent ſuch; and ſo may be a Security, but can be 'no Grievance, to our People. That ſome ill-af- 'fected Perſons, or any Perſons, have been em- 'ployed in other Parts to raiſe Troops under Co- 'lour of our Service, or have made large, or any, 'Offers of Reward and Preferment to ſuch as will 'come in, is (for ought we know, and as we be- 'lieve) an Untruth, deviſed by the Contrivers of 'this falſe Rumour; we diſavow it, and are confi- 'dent there will be no Need of ſuch Art or Indu- 'ſtry to induce our loving Subjects, when they 'ſhall ſee us oppreſſed, and their Liberties and Laws 'confounded, (and till then we ſhall not call on 'them) to come into us, and to aſſiſt us.

'For the Delinquents, (whom we are ſaid with 'an high and forcible Hand to protect) let them be

'named,

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'named, and their Delinquency; and if we give 'not Satisfaction to Juſtice, when we ſhall have 'received Satisfaction concerning Sir *John Hotham*, 'by his legal Trial, then let us be blamed: But if 'the Deſign be, (as it is well known to be) after 'we have been driven by Force from our City of '*London*, and kept by Force from our Town of *Hull*, 'to protect all thoſe who are Delinquents againſt 'us, and to make all thoſe Delinquents who at-'tend on us, or execute our lawful Commands, we 'have great Reaſon to be ſatisfied in the Truth 'and Juſtice of ſuch Accuſation; leſt, to be our 'Servant, and to be a Delinquent, grow to be Terms 'ſo convertible, that, in a ſhort Time, we be left as 'naked in Attendance, as they would have us in 'Power; and ſo compel us to be waited on only 'by ſuch whom they ſhall appoint and allow, and 'in whoſe Preſence we ſhould be more miſerably 'alone, than in Deſolation itſelf.

'And if the ſeditious Contrivers and Fomenters 'of this Scandal upon us ſhall have (as they have 'had) the Power to miſlead the Major Part preſent 'of either or both Houſes, to make ſuch *Orders*, 'and ſend ſuch *Meſſages* and *Meſſengers*, as they 'have lately done, for the Apprehenſion of the 'great Earls and Barons of *England*, as if they 'were Rogues or Felons; whereby Perſons of 'Honour and Quality are made Delinquents, meer-'ly for attending upon us, and upon our *Summons*; 'whilſt other Men are forbid to come near us, 'though obliged by the Duty of their Places and 'Oaths, upon our lawful Commands; it is no 'Wonder if ſuch *Meſſengers* are not very well en-'treated, and ſuch *Orders* not obeyed. Neither can 'there be a ſurer and cunninger Way found out 'to render the Authority of both Houſes ſcorned 'and vilified, than to aſſume to themſelves, meer-'ly upon the Authority of the Name of *Parliament*, 'a Power monſtrous to all Underſtandings; and to 'do Actions, and to make *Orders*, evidently and 'demonſtrably contrary to all known Law and Rea-'ſon, as to take up Arms againſt us, under Colour

'of

'of defending us; to cauſe Money to be brought in to them, and to forbid our own Money to be paid to us, or to our Uſe, under Colour that we will employ it ill; to beat us, and ſtarve us for our own Good, and by our own Power and Authority; which muſt, in ſhort Time, make the greateſt Court, and the greateſt Perſons, cheap and of no Eſtimation. An. 18. Car. I. 1642. June.

'Who thoſe ſenſible Men are of the Public Calamities, of the Violations of the Privileges of Parliament, and the common Liberty of the Subject, who have been baffled and injured by Malignant Men and Cavaliers about us, we cannot imagine; and if thoſe Cavaliers are ſo much without the Fear of God and Man, and ſo ready to commit all Manner of Outrage and Violence, as is pretended, our Government ought to be the more eſteemed, which hath kept them from doing ſo; inſomuch as we believe no Perſon hath Cauſe to complain of any Injury, or of any Damage in the leaſt Degree, by any Man about us, or who hath offered his Service to us. All which being duly conſidered, if the Contrivers of theſe *Propoſitions* and *Orders* had been truly ſenſible of the Obligation which lies upon them, in Honour, Conſcience, and Duty, according to the high Truſt repoſed in them by us and our People, they would not have publiſhed ſuch a Senſe and Apprehenſion of imminent Danger; when themſelves, in their Conſciences, know that the greateſt, and indeed only, Danger which threatens this Church and State, the bleſſed Religion and Liberty of our People, is in their own deſperate and ſeditious Deſigns; and would not endeavour, upon ſuch weak and groundleſs Reaſons, to ſeduce our good Subjects from their Affection and Loyalty to us, to run themſelves into Actions unwarrantable, and deſtructive to the Peace and Foundation of the Common-Wealth.

'And that all our loving Subjects may ſee how cauſeleſs and groundleſs this ſcandalous Rumour

'and

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'and Imputation of *our raiſing War upon our Par-*
'*liament* is, we have, with this our *Declaration*,
'cauſed to be printed the *Teſtimony* of thoſe Lords,
'and other Perſons of our Council, who are here
'with us; who, being upon the Place, could not but
'diſcover ſuch our Intentions and Preparations, and
'cannot be ſuſpected, for their Honours and Inte-
'reſts, to combine in ſuch miſchievous and horrid
'Reſolutions: And therefore we ſtraitly charge and
'command all our loving Subjects, upon their Alle-
'giance, and as they will anſwer the contrary at
'their Perils, That they yield no Obedience or
'Conſent, to the ſaid *Propoſitions* and *Orders*; and
'that they preſume not (under any ſuch Pretences,
'or by Colour of any ſuch *Orders*) to raiſe or levy
'any Horſe or Men, or to bring in any Money or
'Plate to ſuch Purpoſe: But if, notwithſtanding
'this clear *Declaration* and Evidence of our Inten-
'tions, theſe Men (whoſe Deſign it is to compel us
'to raiſe War upon our Parliament, which all their
'Skill and Malice ſhall never be able to effect)
'ſhall think fit, by theſe Alarms, to awaken us to
'a more neceſſary Care of the Defence of ourſelf
'and our People; and ſhall themſelves, under Co-
'lour of Defence, in ſo unheard-of a Manner, pro-
'vide (and ſeduce others to do ſo) to offend us; ha-
'ving given us ſo lively Teſtimony of their Affec-
'tions what they are willing to do, when they have
'once made themſelves able, all our good Subjects
'will think it neceſſary to look to ourſelf: And we
'do then excite all our well-affected People, accord-
'ing to their *Oaths* of Allegiance and Supremacy,
'and according to their ſolemn Vow and *Proteſta-*
'*tion*, (whereby they are obliged to defend our
'Perſon, Honour, and Eſtate) to contribute their
'beſt Aſſiſtance to the Preparations neceſſary for
'the oppoſing and ſuppreſſing of the traiterous At-
'tempts of ſuch wicked and Malignant Perſons;
'who would deſtroy our Perſon, Honour, and E-
'ſtate, and engage the whole Kingdom in a Civil
'War, to ſatisfy their own lawleſs Fury and Am-
'bition;

'bition; and ſo rob our good Subjects of the bleſſed 'Fruit of this preſent Parliament, which they al- 'ready, in ſome Degree, have, and might ſtill reap, '(to the abundant Satisfaction and Joy of the whole 'Kingdom) if ſuch wicked Hands were not ready 'to ruin all their Poſſeſſion, and fruſtrate all their 'Hopes. An. 18. Car. I. 1642. June.

'We do therefore *declare*, That whoſoever, of 'what Degree or Quality ſoever, ſhall then, upon 'ſo urgent and viſible Neceſſity of ours, and ſuch 'an apparent Diſtraction of the Kingdom, (cauſed 'and begotten by the Malice and Contrivance of 'this Malignant Party) bring in to us, and our Uſe, 'ready Money or Plate; or ſhall underwrite to 'furniſh any Number of Horſe, Horſemen, and 'Arms for the Preſervation of the Public Peace, 'the Defence of our Perſon, and the Vindication 'of the Privilege and Freedom of Parliament; we 'ſhall receive it as a moſt acceptable Service, and as 'a Teſtimony of his ſingular Affection to the *Pro-* 'teſtant Religion, the Laws, Liberties, and Peace 'of the Kingdom; and ſhall no longer deſire the 'Continuance of that Affection than we ſhall be 'ready to juſtify, and maintain, thoſe with the 'Hazard of our Life.

'And we do further *declare*, That whoſoever 'ſhall then bring in any Sums of Money or Plate, to 'aſſiſt us in this great Extremity, ſhall receive Con- 'ſideration after the Rate of Eight *per Cent.* for all 'ſuch Monies as he ſhall furniſh us withall; and 'ſhall, upon the Payment of ſuch Money to ſuch 'Perſons whom he ſhall appoint to receive the ſame, 'receive Security for the ſame, by good and lawful 'Aſſurance of ſuch of our Lands, Foreſts, Parks, 'and Houſes, as ſhall be ſufficient for the ſame; '(more real Security than the Name of *Public Faith* 'given without us and againſt us, as if we were no 'Part of the Public) and beſides we ſhall always 'look upon it as a Service, moſt affectionately and 'ſeaſonably performed, for the Preſervation of us 'and the Kingdom: But we ſhall be much gladder

'that

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'that their Submiſſion to thoſe our Commands, and 'their Deſiſting from any ſuch Attempt of raiſing 'Horſe or Men, may eaſe all our good Subjects of 'that Trouble, Charge, and Vexation.'

A Conference on ſome Words in the King's Anſwer to the Declaration of the 26th of May.

June 17. This Day the Lords took into Conſideration a printed Book, publiſhed in the King's Name, called *An* Anſwer *to a* Declaration *of the Lords and Commons, of the* 26*th of* May *laſt*, out of which was read this Clauſe, 'We muſt tell thoſe 'ungrateful Men, who dare tell their King, *That* '*they may, without Want of Modeſty and Duty, de-*'*poſe him*, &c.' It was *ordered*, That a Conference be held with the Commons, and a Committee of both Houſes appointed to draw a *Declaration*, by way of *Anſwer* to this Particular; and that Care be taken to diſperſe it thro' the Kingdom.

The Parliament reſolve to raiſe Horſe as well as Foot.

Both Houſes agreeing, That they perceived an hourly Neceſſity for raiſing an Army of Horſe as well as Foot; Orders were iſſued out, and proper Officers named for that Purpoſe.

The King grants a Commiſſion of Array.

The Earl of *Stamford* inform'd the Lords, by a Letter from *Leiceſterſhire*, That he had executed the Parliament's *Militia Ordinance* in that County with great Succeſs; but that a *Commiſſion* of *Array* was granted to the Earls of *Huntingdon*, *Devonſhire*, and others, to oppoſe him therein, and requiring them to array, train, and muſter the People: That the ſaid Commiſſion was to take Place in a few Days; and therefore the Earl of *Stamford* deſired the Advice of Parliament, what he ſhould do if the ſaid Commiſſion was put in Execution. A Committee of both Houſes was immediately appointed to conſider how to prevent this new and dangerous Project.

June 18. The Commons acquainted the Lords with a *Letter* that the King had wrote to the Lord Mayor, Aldermen, and Sheriffs of *London*, which was print-

printed; and desired them to take the said *Letter* into Consideration, and to give Order that it might be suppressed, and not dispersed amongst the several Companies as was required. An. 18. Car. I. 1642. June.

This *Letter* was as follows:

CHARLES *R.*

Trusty and Well-beloved, we greet you well,

His Letter to the Citizens of London, forbidding them to lend Money to the Parliament.

WHereas we have received several Informations of great Sums of Money endeavoured to be borrow'd of our City of London, *by some Direction proceeding from both our Houses of Parliament; and likewise that great Labour is used to persuade our Subjects to raise Horse, and to furnish Money, upon Pretence of raising a Guard for our Parliament: These are to let you know, that (notwithstanding any scandalous* Votes *which have presumed to declare our Intention of levying War against our Parliament, and to lay other Aspersions on us, so fully disavowed by us in the Presence of Almighty God, in our several* Answers *and* Declarations) *all our Desires and Purposes are for the Public Peace; and that we have not the least Thought of raising or using Force, except we are compelled to it for the Defence of our Person, and in Protection of the Law: And therefore we expect that you suffer not yourselves to be misled by such vain and improbable Suggestions; and do declare, That if you shall lend any Sums of Money towards the Relief of* Ireland, *(to which we have contributed all the Assistance that could be desired of us, which Way soever the Money given and raised to that Purpose is disposed) or towards the Payment of our* Scots *Subjects, we shall take it as an acceptable Service at your Hands; but if, upon general Pretences, contrived by a few factious Persons against the Peace of the Kingdom, you shall give or lend any Money, or provide or raise any Horses or Arms towards the Raising such a Guard, we shall look upon it as the Raising Force against us, and to be done in Malice and Contempt of us and our Authority.*

And we do therefore straitly charge and command you to publish this our Letter *to the several Masters and*

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and Wardens of the ſeveral Companies, that they may be aſſured that ſuch Money as they ſhall lend, out of their good Affection to the Kingdom, may be only employed for Ireland *or* Scotland, *and not towards ſuch Guards; which, in Truth, are intended by the Contrivers of that Deſign, (though we believe many honeſt Men, ſeduced by them, do not yet ſee their End) to be employed againſt us: And if you and they ſhall herein fail, punctually and ſeverally, to obſerve our Commands, we ſhall not only proceed againſt the ſeveral Companies for deceiving the Truſt repoſed in them, but againſt the particular Perſons, as Contemners and Oppoſers of our Authority, and of the Law of the Land, in the moſt exemplary Way the known Law of the Land ſhall preſcribe to us; and ſhall be compelled to queſtion the Charter of your City, who we are willing yet to believe, (notwithſtanding the barbarous and inſolent Demeanour of the meaner and baſer Sort) in a good Degree to continue loyal to us.*

And of your Obedience to theſe our Commands, we do expect and require a full Account, and of the Names of ſuch Perſons who ſhall oppoſe the ſame. Hereof fail you not, as you will anſwer the contrary at your Peril.

Given at our Court at *York*, the 14th Day of *June*, in the eighteenth Year of our Reign, 1642.

Next follows a Copy of the King's Commiſſion of *Array* ſent into *Leiceſterſhire*, which we paſs over with a Reference; the Diſputes about the Legality or Illegality of it being more than enough for our Purpoſe. *(u)* On the reading of it the Lords paſſed this *Vote*, 'That this Commiſſion of *Array* for *Leiceſterſhire* is againſt Law, and againſt the Liberty and Property of the Subject: And that all thoſe, that are Actors in putting this Commiſſion of *Array* in Execution, ſhall be eſteemed as Diſturbers of the Liberty of the Subject.'

The King's Commiſſion of Array voted Illegal.

Or-

(u) This Commiſſion is at large in *Ruſhworth's Collections*, Vol. IV. p. 655.

Ordered, alſo, 'That this Commiſſion of *Array*, with the aforeſaid *Votes*, ſhall be forthwith printed and publiſhed throughout the Kingdom.' An. 18. Car. I. 1642. June.

Laſtly, 'That all thoſe Perſons, except the Peers, who had executed this Commiſſion in *Leiceſterſhire*, ſhould be ſent for as Delinquents (*x*).

The ſame Day another *Declaration* of the Lords and Commons, by way of *Anſwer* to the foregoing *Letter* of the King to the Lord Mayor and Citizens of *London*, was read, and agreed to be printed and publiſhed in *hæc Verba:*

The Parliament's Anſwer to the King's Letter.

'WHereas in a Paper, inſcribed *To our truſty and well-beloved the Lord Mayor, Aldermen, and Sheriffs of the City of* London, *dated the 14th of* June, 1642, it is affirmed, *That great Labour is uſed to perſuade his Majeſty's Subjects to raiſe Horſe, and to furniſh Money, upon Pretence of a Guard for the Parliament; but, in truth, to be employed againſt his Majeſty*: The Lords and Commons do *declare*, That the Deſign of thoſe *Propoſitions* is, as was formerly declared, to maintain the *Proteſtant* Religion, the King's Authority and Perſon in his Royal Dignity, the free Courſe of Juſtice, the Laws of the Land, the Peace of the Kingdom, and the Privileges of Parliament, againſt any Force which ſhall oppoſe them:

'And they do further *declare*, That as the Forces already attending his Majeſty, and the Preparation which his Majeſty is now making of Arms, Horſe, and Ordnance, within his Kingdom and from without, at firſt coloured under the Pretence of

(*x*) This Commiſſion of *Array*, which the King iſſued by Advice of ſome of the Judges and Lawyers of Eminency, was founded upon an Act of the 5th of King *Henry* IV. but being a Thing the People had never heard of before, was received with Jealouſy. Mr. *Selden*, in the Houſe of Commons, declared himſelf very poſitively againſt it, as being expreſly without any Authority of Law; the Statute, on which it was grounded, being, as he ſaid, repeal'd; and diſcourſed very much of the ill Conſequences which might reſult from ſubmitting to it. *Clarendon's Hiſt. 8vo. Edit.* p. 667.

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'of a Guard, do evidently appear to be intended 'for ſome great and extraordinary Deſign; ſo they 'give juſt Cauſe of Fear and Jealouſy to the Par- 'liament, and do fully juſtify their *Votes* of the 'King's Intention of levying War againſt the Par- 'liament, to be altogether free from any Imputa- 'tion of Scandal, as is injuriouſly caſt upon them 'by that *Paper:* For, ſo long as his Majeſty ſhall 'continue thoſe Levies and Preparations, the Lords 'and Commons in Parliament, having been ſo of- 'ten threatned and reviled for their Proceedings a- 'bout *Hull* and the *Militia*, ſo neceſſarily under- 'taken for the Good and Peace of the Kingdom, 'cannot be ſecured by his Majeſty's ſolemn *Pro- 'teſtation* alone, expreſſed in this and other *Decla- 'rations*, *That all his Deſires and Purpoſes are for 'the Public Peace, and that he hath not the leaſt 'Thought of uſing Force, except he be compelled 'to it for the Defence of his Perſon and Protection 'of the Laws*; ſeeing his Majeſty, in a *Declara- 'tion* publiſhed at *Heworth-Moor*, doth interpret 'the Protection of the Laws in ſuch a Manner, as 'giveth juſt and full Occaſion to believe, that, by 'protecting the Laws, his Majeſty intendeth Force 'upon, or againſt, thoſe who ſhall ſubmit to the 'Ordinance of the *Militia*; and becauſe it appears, 'by divers Expreſſions of his Majeſty, that he hath 'diſcovered an Intention of making ſome Attempt 'upon *Hull:* In both which Caſes they do *declare*, 'That whatſoever Violence ſhall be uſed, either 'againſt thoſe who exerciſe this *Militia*, or againſt '*Hull*, they cannot but believe it as done againſt the 'Parliament.

'And whereas the Houſes have, upon Loan, 'received great Sums of Money for the Service of '*Ireland*, from the Companies of the City of *Lon- 'don*, (for which they give them great and hearty 'Thanks) they do *declare*, That theſe Sums ſhall 'be diſpended, as the former have been, to that only 'Service; notwithſtanding an Inſinuation, laying 'an Aſperſion upon them as if they had done other- 'wiſe.

'Fur-

'Further: Whereas it is declared, to the great 'Reproach of the Parliament, *That the Sums de-* 'fired towards the Raiſing of Horſe and Arms, are 'contrived upon general Pretences, by ſome few 'factious Perſons, we leave it to the World to 'judge how it is poſſible the Houſes ſhould have all 'their Members, ſeeing many of them are, by his 'Majeſty, ſummoned to *York*; and there, contrary 'to the Laws of the Land and Privileges of Parlia- 'ment, detained, nay, protected, from the Juſtice 'of both Houſes. An. 18. Car. I. 1642. June.

'And, *ſecondly*, How that can poſſibly be called 'a Faction, which is done by both Houſes of Par- 'liament, the greateſt Court of *England*, the moſt 'faithful Council his Majeſty hath. But at ſuch 'Language as this they wonder not, conſidering by 'what wicked Counſel his Majeſty's Affairs are 'guided, and by what malignant Spirits his Maje- 'ſty's Affections to the Parliament of late have been 'miſled.

'Both Houſes well weighing the Premiſes, do '*forbid* any Mayors, Sheriffs, Bailiffs, or other Of- 'ficers whatſoever, to publiſh or ſpread that *Paper*, 'as they will anſwer their Contempt to the Parlia- 'ment. And do aſſure themſelves, that neither his 'Majeſty's Commands, nor his Threats, will with- 'draw or deter Men, well-affected to the Public, 'from doing their Duty; in contributing ſuch Mo- 'ney, Horſe, and Plate, as will be neceſſary for 'the Preſerving the Being of Parliament, the Peace 'of the Kingdom, and thoſe other Ends before- 'mentioned, for which they are deſired: The dan- 'gerous and miſchievous Intentions of ſome about 'his Majeſty being ſuch, that whatſoever is moſt 'precious to Men of Conſcience and Honour, as 'Religion, Liberty, and Public Safety, are like to 'be overwhelmed and loſt in the general Confuſion 'and Calamity of the Kingdom; which will not 'only queſtion, but overthrow, the Charter of the 'City of *London*; expoſe the Citizens, their Wives, 'and Children, to Violence and Villainy; and leave

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'the Wealth of that famous City as a Prey to thoſe 'deſperate and neceſſitous Perſons.

'The Lords and Commons, as they hope, by this 'Means, thoſe horrid Miſchiefs may be prevented, 'ſo thoſe of the City, which contribute hereunto, '(whereof none are ſo mean and baſe as to deſerve 'the Reproaches caſt on them by that *Paper)* and 'all his Majeſty's good Subjects, may be aſſured 'that, in doing their Duty herein, they ſhall be 'protected and ſecured in their Perſons, Liberties, 'and Eſtates, by the Power and Authority of both 'Houſes of Parliament, according to their former 'Engagements, which they will ever faithfully 'perform.'

This *Anſwer* was preſently followed by a *Reply* from the King.

The King's Reply.

'IT ſeems, by a new *Declaration* of the 18th of '*June*, in *Anſwer* to our *Letter*, of the 14th of 'the ſame Month, to the Lord Mayor of *London*, 'that the Lords and Commons in Parliament have 'much more Leiſure than they pretend; or that 'thoſe Perſons, whom we have before deſcribed in 'our former *Anſwers* and *Declarations*, and of whom 'only we would be underſtood to ſpeak, think 'ſuch *Declarations* and *Votes*, to be ſuch unreſiſtable 'Engines of Battery againſt us and the Law, that 'no Strength can oppoſe them; and therefore, 'though they will not take Notice from whence 'that *Letter* came, they will vouchſafe it no other 'Mention but a *Paper*, (as if found by Chance) 'inſcribed *To our Truſty and Well beloved*, &c. And 'it is a Wonder that, ſince they have uſurped the 'Supreme Power to themſelves, they have not ta-'ken upon them the Supreme Style too, and direc-'ted this very *new Declaration*, *To their Truſty and 'Well-beloved, their Subjects of the City of* London; 'for 'tis too great and palpable a Scorn to per-'ſuade them to take up Arms againſt our Perſon, 'under Colour of being loving Subjects to our Of-

'fice,

'fice; and to deſtroy us, that they may preſerve 'the King. An. 18. Car. I. 1642. June.

'They are offended that we ſhould believe, *That 'their End of perſuading our Subjects to raiſe Horſe, 'and to furniſh Money, upon Pretence of a Guard 'for the Parliament, is, in Truth, to employ thoſe 'Horſe, Men, and Money, againſt us.* Let the 'Reaſons of our Belief be never ſo ſtrong, and 'their Actions never ſo evident to compel all other 'Men to believe ſo too, the Lords and Commons 'do *declare*, (think what you will, and ſee what 'you can) *That the Deſign of thoſe* Propoſitions '*for raiſing Men, Horſe, and Money, is to maintain 'the* Proteſtant *Religion, the King's Authority and 'Perſon in his Royal Dignity, the free Courſe of 'Juſtice, the Laws of the Land, the Peace of the 'Kingdom, and Privileges of Parliament, againſt 'any Force which ſhall oppoſe them.* And this all 'Men are bound to believe, though they ſee the '*Proteſtant* Religion, and the Profeſſors thereof, 'miſerably reproached, and in Danger of being de-'ſtroyed by a vicious and malignant Party of '*Browniſts*, *Anabaptiſts*, and other *Sectaries*; (the 'principal Ring-leaders of whom have too great a 'Power, even with ſome Members in both our 'Houſes of Parliament) our Authority deſpiſed, and, 'as much as in them lies, taken from us, and reviled 'in Pulpits and Preſſes by Perſons immediately in 'their Protection, and of their Recommendation; 'our Perſon driven away by Tumults and rude Mul-'titudes, againſt whom we can have no Juſtice; 'the Courſe of Juſtice interrupted and ſtopped 'by *Orders* and *Injunctions*, never heard of till this 'Parliament; the Laws of the Land trampled 'under Foot, and fruſtrated; new Laws attempted 'to be made, and impoſed upon our Subjects, with-'out, and againſt, our Conſent; the Peace of the 'Kingdom ſhaken and frighted away by diſcounte-'nancing the Laws; abſolving, as much as in them 'lies, the People from the Rules of Government 'or Obedience, and even declaring a War againſt 'us, and the Laws of the Land; and, laſtly, the

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'Privileges of Parliament ſo far extended, as if, to 'the bare Sound of Privilege of Parliament, the 'Liberty and Property of the Subject, the Dignity 'and Certainty of the Law were in ſuch Subjection, 'that they may firſt make what *Orders* they pleaſe, 'and in what Caſes they pleaſe; and whoſoever diſ-'putes thoſe *Orders*, and ſubmits not to thoſe *Votes*, 'breaks their Privileges; and whoſoever breaks their 'Privileges is an Enemy to the Common-Wealth, 'and worthy of ſuch other Attributes (either of 'favouring the Rebellion in *Ireland*, or advancing 'the War here) as are moſt likely to render that 'Perſon ſuſpected or odious to the People. If, in 'Truth, this be evidently and demonſtrably the 'Caſe, ſuch *Declarations* will no more gain Credit 'with, or longer miſlead, our Subjects, than if they 'ſhould tell them, that we are Perſonally with 'them in *London*, when all Men ſee us here at '*York*.

'As they have *declared*, (the beſt Argument or 'Evidence you are to look for) That all that they 'do is lawful, becauſe they do it; ſo they proceed, 'by the ſame Power, to aſſure thoſe who are apt to 'be deceived by them, *That the Force already attend-'ing us*, (they would certainly do otherwiſe if they 'did really believe ſuch Force to be about us) *and 'the Preparation we are making, do evidently appear 'to be intended for ſome great and extraordinary De-'ſign, and do juſtify their former* Votes *of our In-'tention of levying War againſt our Parliament.* 'And they have at laſt given ſome Reaſons for that '*Vote* and *Declaration:* They find, by our ſeveral '*Declarations*, that we intend Force againſt thoſe 'who ſhall ſubmit to the *Ordinance* of the *Militia*, 'and that we intend to make an Attempt upon '*Hull:* In both which Caſes they are pleaſed to de-'clare, *That whatſoever Violence ſhall be uſed, either 'againſt thoſe who exerciſe this* Militia, *or againſt* 'Hull, *they cannot but take it as done againſt the 'Parliament.* We are beholden to them that they 'have explained to all our good Subjects the Mean-'ing of their Charge againſt us; that by our Inten-

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'tion of making War againſt our Parliament, no more is pretended to be meant, but our Reſolution not to ſubmit to the high Injuſtice and Indignity of the *Ordinance*, and the Buſineſs of *Hull*. We have never concealed our Intentions in either of thoſe Particulars; (we wiſh they would deal as clearly with us) but have always, and do no now *declare*, That that pretended *Ordinance* is againſt the Law of the Land, againſt the Liberty and Property of the Subject, deſtructive to Sovereignty; and, therefore, not conſiſtent with the very Conſtitution and Eſſence of the Kingdom, nor with the Right and Privilege of Parliament: That we are bound by our *Oath*, (and all our Subjects are bound by theirs of Allegiance and Supremacy, and their own *Proteſtation* lately taken, to aſſiſt us) to oppoſe that *Ordinance*, which is already put in Execution againſt us; not only by training and arming our Subjects, but by forcibly removing the Magazines from the Places truſted by the Counties, to their own Houſes, and guarding it there with armed Men; whither it will be next removed, and how uſed by ſuch Perſons, we know not. That the keeping us out of *Hull*, by Sir *John Hotham*, was an Act of High Treaſon againſt us; and the taking away our Magazine and Munition from us, was an Act of Violence upon us; (by what Hands, or by whoſe Direction ſoever it was done) and in both Caſes, by the Help of God and the Law, we will have Juſtice, or loſe our Life in the requiring it; the which we do not value at that Rate, as to preſerve it with the Infamy of ſuffering ourſelf to be robbed and ſpoiled of that Dignity we were born to. An. 18. Car. I. 1642. June.

'And if it be poſſible for our good Subjects to believe that ſuch a Defence of ourſelf, with the utmoſt Power and Strength we can raiſe, is making a War againſt the Parliament; we do not doubt (however it ſhall pleaſe God to diſpoſe of us in that Contention) but the Juſtice of our Cauſe will, at the laſt, prevail againſt thoſe few malignant Spirits, who, for their own Ends and ambitious

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'bitious Deſigns, have ſo miſled and corrupted the 'Underſtandings of our People; and that both our 'Houſes of Parliament will, in a ſhort Time, diſ-'cern, by their own Obſervation, and the Informa-'tion we ſhall ſpeedily give them, how near 'this flouriſhing Kingdom is brought to Ruin and 'Confuſion by theſe Perſons.

'And ſince neither our *Declaration*, nor the Teſti-'mony of ſo many of our Lords now with us, can 'procure Credit with theſe Men; but that they 'proceed to levy Horſe, and to raiſe Money and 'Arms againſt us, we are not to be blamed, if '(after ſo many gracious Expoſtulations with them, 'upon undeniable Principles of Law and Reaſon, 'which they anſwer only by *voting* that which 'we ſay to be neither Law nor Reaſon; and ſo 'proceed actually to levy War upon us, to juſtify 'that which cannot be otherwiſe defended) at laſt 'we make ſuch Proviſion, that, as we have been 'driven from *London*, and kept from *Hull*, we may 'not be ſuprized at *York*; but be in a Condition to 'reſiſt and bring to Juſtice thoſe Men, who would 'perſuade our People that their Religion is in Dan-'ger, becauſe we will not conſent it ſhall be in 'their Power to alter it by their *Votes*; or their 'Liberty in Danger, becauſe we will allow no Judge 'of that Liberty but the known Law of the Land: 'Yet whatever Proviſion we ſhall be compelled to 'make for our Security, we will be ready to lay down, 'as ſoon as they ſhall have revoked the *Orders* by 'which they have made Levies; and ſubmit thoſe 'Perſons who have detained our Towns, carried 'away our Arms, and put the *Militia* in Execu-'tion contrary to our *Proclamation*, to that Trial of 'their Innocence the Law directs, and to which 'they were born.

'If this be not ſubmitted to, we ſhall with as 'good a Conſcience (and we believe we ſhall not 'want the Affections of our good Subjects to that 'End) proceed againſt thoſe who ſhall preſume to 'exerciſe that pretended *Ordinance* for the *Militia*, 'and the others who keep our Town of *Hull* from

'us

'us, as we would reſiſt Perſons who came to take 'away our Life or our Crown from us. And 'therefore we ſhall, again, remember and require our 'City of *London* to obey our former Commands, 'and not to be miſled by the Orations of thoſe Men, '(who are made deſperate by their Fortunes, or their 'Fortunes by them) who tell them their Religion, 'Liberty, and Property is to be preſerved no other 'Way but by their Diſloyalty to us: That they are 'now at the Brink of the River, and may draw 'their Swords, when nothing purſues them but their 'own evil Conſciences. Let them examine what 'excellent Fruits of Religion the Lives of thoſe 'Men have brought forth, and what great Advan-'cers they have been of the Public Liberty and Pro-'perty: How long they have had thoſe Opinions, 'that they would ruin them to defend, and how they 'came to thoſe Opinions: Let them conſider whe-'ther their Eſtates come to them, and are ſettled 'upon them by *Orders* of both Houſes, or by that 'Law which we defend: What Security they can 'have to enjoy their own, when they have helped 'to rob us; and what a happy Concluſion that War 'is like to have, which is raiſed to oppreſs their So-'vereign: That the Wealth and Glory of their Ci-'ty is not like to be deſtroyed any other Way, but '(and that Way inevitably it muſt) by rebelling a-'gainſt us; nor their Wives and Children to be 'expoſed to Violence and Villany, but by thoſe 'who make their Appetite and Will the Meaſure 'and Guide to all their Actions. Let them not 'fancy to themſelves melancholic Apprehenſions, 'which are capable of no Satisfaction; but let them 'ſeriouſly conſider what Security they can have, 'that they have not under us, or been offered by 'us; and whether the Doctrines theſe Men teach, 'and would have them defend, do not deſtroy the 'Foundations upon which their Security is built.

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'And we do, laſtly, declare again, and publiſh 'to all the World, That we ſhall proceed againſt 'all Perſons whatſoever, that ſhall aſſiſt thoſe Le-'vies, by furniſhing Horſe, Money, and Plate, as

'againſt

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'against the Diſturbers of the Public Peace, and the 'Authors of thoſe Diſtractions which threaten the 'Ruin of us and this Kingdom.'

How little Weight the King's *Reply* had with the Parliament, will appear by the following *Ordinance*, made and agreed to, this Day, by both Houſes:

An Ordinance of Parliament for coining of Plate.

'Whereas great Quantities of Plate are brought 'to the Treaſurers, appointed by both Houſes of 'Parliament for the receiving of Plate and Money, 'according to the Uſes expreſſed in the *Propoſitions*; 'it is therefore *ordered* by the Lords and Commons 'in Parliament, That the ſaid Treaſurers ſhall have 'Power, by virtue of this *Order*, to melt down the 'ſaid Plate, and cauſe it to be forthwith coined: 'And ſhall likewiſe have Power, from Time to 'Time, to melt down and cauſe to be coined, all 'other Plate as ſhall, hereafter, be brought in.'

June 20. A Copy of a Letter from Lord *Paget* was this Day entered in the *Lords Journals*, intitled, *The Reaſons of his Departure from Parliament unto the King's Moſt Excellent Majeſty at* York; and is in theſe Words:

Lord Paget's Reaſons for leaving the Parliament and going to the King.

IT may ſeem ſtrange that I, who, with all Zeal and Earneſtneſs, have proſecuted, in the Beginning of this Parliament, the Reformation of all Diſorders in Church and Common-Wealth, ſhould now, in a Time of ſuch great Diſtractions, deſert the Cauſe. Moſt true it is that my Ends were the Common Good; and, whilſt that was proſecuted, I was ready to lay down both my Life and Fortune; but, when I found a Preparation of Arms againſt the King under the Shadow of Loyalty, I rather reſolved to obey a good Conſcience than particular Ends; and am now on my Way to his Majeſty, where I will throw myſelf down at his Feet, and die a loyal Subject.

June 11, 1642. PAGET.

We do not find any Notice taken of this *Letter* by the Lords; but the ſame being printed and publiſhed

liſhed by one *Hugh Perry*, the Commons ordered him to be ſummoned before their Houſe; and he was, afterwards, committed to the *Gatehouſe*. An. 18. Car. I. 1642. June.

We have before taken Notice from Mr. *Whitlocke*, That the Lord *Paget* had not only accepted of a Commiſſion of Lord Lieutenant of the County of *Bucks*, under the *Ordinance* of Parliament, but had alſo appointed his Deputy-Lieutenants. This is confirm'd by Lord *Clarendon* with the following additional Particulars:—'The Lord *Paget*, who had contributed all his Faculties to the Parliament's Service, and to the Prejudice of the King's, from before the Beginning of the Parliament; had been one of their Teizers to broach thoſe bold high Overtures ſoberer Men were not, at firſt, willing to be ſeen in; had, with great Pomp and Solemnity, executed their *Ordinance*, in Defiance of the King's Proclamation; and had ſubſcribed a greater Number of Horſes for their Service, upon their *Propoſitions*, than any other of the ſame Quality *(y)*; convinced in his Conſcience, fled from them, and beſought the King's Pardon: And, for the better manifeſting the Tenderneſs of his Compunction, and the Horror he had of his former Guilt, he frankly diſcovered whatſoever he had known of their Counſels; and aggravated all the Ill they had done, with declaring it to be done to worſe and more horrid Ends, than many good Men believ'd to be poſſible for them to propoſe to themſelves.'

June 21. A Letter from the King, directed to the Speaker of the Houſe of Lords, with an *Anſwer* incloſed to the *Nineteen Propoſitions* from the Parliament for Peace, was read in the Houſe of Lords, and *ordered* to be ſent down to the Commons.

This *Anſwer* begins with a long Recapitulation of all the Arguments, before urged, in his Majeſty's *Meſſages* and *Declarations* to the Parliament, which we have already printed: Of theſe, therefore, we ſhall

(y) This Circumſtance is rather too much exaggerated by the Noble Hiſtorian, as appears by the foregoing Liſt of the ſubſcribing Peers, as it ſtands in their Journals.

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ſhall content ourſelves with Lord *Clarendon*'s Abſtract; giving only ſuch Paſſages at large, as are a direct *Anſwer* to the *Propoſitions* themſelves. (z)

His Majeſty's Anſwer to the Parliament's Nineteen Propoſitions.

'THE King firſt reminded the Parliament of 'the Method they had obſerved in their 'Proceedings towards him: That they had firſt 'totally ſupreſſed the known Laws of the Land, 'and denied his Power to be neceſſary to the ma-'king new ones, reducing the whole to their own '*Declarations* and ſingle *Votes:* That they had poſ-'ſeſſed themſelves of his Magazines, Forts, and 'Militia: That they had ſo aw'd his Subjects with 'Purſuivants, long chargeable Attendance, heavy 'Cenſures, and illegal Impriſonments, that few of 'them durſt offer to preſent their Tenderneſs of 'his Majeſty's Sufferings, their own juſt Grievan-'ces, and their Senſe of thoſe Violations of the Law '(the Birth-right of every Subject of the King-'dom) tho' in an humble *Petition* to both Houſes; 'and if any did, it was ſtifled in the Birth, called '*Sedition*, and burned by the Common Hangman: 'That they had reſtrained the Attendance of his 'ordinary and neceſſary Houſhold Servants; and 'ſeized upon thoſe ſmall Sums of Money, which 'his Credit had provided to buy him Bread; with 'Injunctions that no Money ſhould be ſuffered to 'be conveyed, or returned to his Majeſty to *York*, 'or to any of his Peers or Servants with him; ſo 'that, in Effect, they had block'd him up in that 'County: That they had filled the Ears of his 'People

(z) The original Edition of this *Anſwer*, printed by *Barker*, the King's Printer, makes above 40 Pages. It is to be found at large in *Ruſhworth*, Vol. IV. p. 725; in *Husband*, p. 307; and in the ſecond Volume of the King's Works, *Folio*, (printed by *Royſton*, 1662) p. 85. With this *Anſwer* the King publiſhed the *Propoſitions*, alſo an *Order* for the Reading and Publiſhing thereof throughout all Churches and Chapels of *England* and *Wales*, by the ſeveral Parſons, Vicars, or Curates.

Lord *Clarendon* informs us, That the King was once reſolved to have returned no *Anſwer* to the Parliament upon theſe *Propoſitions*; but to let the People alone to judge of the Unreaſonableneſs of them, and of the Indignity offered to him in the Delivery of them; and that was the Reaſon of the ſhort Mention he made of them, in the Cloſe of his *Anſwer* to their *Declaration* of the 26th of *May*.

'People with Fears and Jealouſies, (though taken up upon Truſt) Tales of Skippers, Salt-Fleets, and ſuch like; by which Alarm they might prepare them to receive ſuch Impreſſions, as might beſt advance their Deſign, when it ſhould be ripe. And now, it ſeemed, they thought his Majeſty ſufficiently prepared for thoſe bitter Pills; that he was in a handſome Poſture to receive thoſe humble Deſires; which, probably, were intended to make Way for a Superfœtation of a yet higher Nature; for they did not tell him, This was all. He ſaid, he muſt obſerve, that thoſe Contrivers, (the better to advance their true Ends in thoſe *Propoſitions*) diſguiſed, as much as they could, their Intents with a Mixture of ſome Things really to be approved by every honeſt Man; others, ſpecious and popular; and ſome which were already granted by his Majeſty: All which were cunningly twiſted and mixed with thoſe other Things of their main Deſign, of Ambition and private Intereſt, in hope that, at the firſt View, every Eye might not ſo clearly diſcern them in their proper Colours. An. 18. Car. I. 1642. June.

'His Majeſty ſaid, if the 1ſt, 2d, 3d, 4th, 5th, 9th, 10th, 15th, 16th, and 19th Demands had been writ and printed in a Tongue unknown to his Majeſty and his People, it might have been poſſible that he and they might have, charitably, believed the *Propoſitions* to be ſuch as might have been in order to the Ends pretended in the *Petition*, to wit, *The Eſtabliſhment of his Honour and Safety; the Welfare and Security of his Subjects and his Dominions; the removing thoſe Jealouſies and Differences which were ſaid to have unhappily fallen betwixt his Majeſty and his People; and procuring both his Majeſty and them a conſtant Courſe of Honour, Peace, and Happineſs*; but being read and underſtood by all, he could not but aſſure himſelf that that Profeſſion, joined to thoſe *Propoſitions*, would rather appear a Mockery and a Scorn; the Demands being ſuch, that he were unworthy the

'Truſt

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'Truſt repoſed in him by the Law, and of his De-
'ſcent from ſo many great and famous Anceſtors,
'if he could be brought to abandon that Power
'which alone could enable him to perform what he
'was ſworn to, in protecting his People and the
'Laws; and ſo aſſume others into it, as to diveſt
'himſelf of it, although not only his preſent Con-
'dition were more neceſſitous than it was, (which
'it could hardly be) and he were both vanquiſhed
'and a Priſoner; and in a worſe Condition than
'ever the moſt unfortunate of his Predeceſſors had
'been reduced to, by the moſt criminal of their
'Subjects; and though the Bait laid to draw him
'to it, and to keep his Subjects from Indignation
'at the Mention of it, the Promiſes of a plentiful
'and unparalleled Revenue, were reduced from
'Generals (which ſignify nothing) to clear and cer-
'tain Particulars; ſince ſuch a Bargain would have
'but too great a Reſemblance of that of *Eſau*'s, if
'he would part with ſuch Flowers of his Crown
'as were worth all the reſt of the Garland, and
'had been tranſmitted to him from ſo many An-
'ceſtors, and had been found ſo uſeful and neceſ-
'ſary for the Welfare and Security of his Subjects,
'for any preſent Neceſſity, or for any low and
'ſordid Conſiderations of Wealth and Gain: And
'therefore, all Men knowing that thoſe Accom-
'modations are moſt eaſily made, and moſt exactly
'obſerved, that are grounded upon reaſonable and
'equal Conditions, his Majeſty had great Cauſe to
'believe, that the Contrivers of thoſe *Propoſitions*
'had no Intention of ſettling any firm Accommo-
'dation; but to increaſe thoſe Jealouſies, and widen
'that Diviſion, which, not by his Majeſty's Fault,
'was now unhappily fallen between him and both
'Houſes.

'It was aſked, *That all the Lords and others of*
'*his Privy Council, and ſuch great Officers and Mi-*
'*niſters of State, either at home or beyond the Seas,*
'(for, he ſaid, Care was taken to leave out no Perſon,
'or Place, that his Diſhonour might be ſure not to

'be

'be bounded within this Kingdom) *ſhould be put* An. 18. Car. I.
'*from his Privy Council, and from thoſe Offices and* 1642.
'*Employments, unleſs they ſhould be approved by both*
'*Houſes of Parliament*, how faithful ſoever his Ma- June.
'jeſty had found them to him and to the Public;
'and how far ſoever they had been from offending
'againſt any Law, the only Rule they had, or any
'others ought to have, to walk by. His Majeſty,
'therefore, to that Part of that Demand, return'd
'this Anſwer, *That he was willing to grant that*
'*they ſhould take a larger Oath, than they themſelves*
'*deſired in their* eleventh Demand, *for maintaining*
'*(not of any Part, but) the whole Law.* And, he
'ſaid, he had and did aſſure them, that he would be
'careful to make Election of ſuch Perſons in thoſe
'Places of Truſt, as had given good Teſtimonies
'of their Abilities and Integrities; and againſt whom
'there could be no juſt Cauſe of Exception, where-
'on, reaſonably, to ground a Diffidence: That if
'he had or ſhould be miſtaken in his Election, he
'had and did aſſure them, that there was no Man
'ſo near to him, in Place or Affection, whom he
'would not leave to the Juſtice of the Law, if
'they ſhould bring a particular Charge and ſuffi-
'cient Proof againſt him: That he had given them
'a *Triennial Parliament*, (the beſt Pledge of the
'Effects of ſuch a Promiſe on his Part, and the beſt
'Security for the Performance of their Duty on
'theirs) the Apprehenſion of whoſe Juſtice would,
'in all Probability, make them wary how they
'provoked it; and his Majeſty wary, how he
'choſe ſuch as, by the Diſcovery of their Faults,
'might, in any Degree, ſeem to diſcredit his Elec-
'tion: But that, without any Shadow of a Fault
'objected, only, perhaps, becauſe they follow their
'Conſciences, and preſerve the eſtabliſhed Laws;
'and agree not in ſuch *Votes*, or aſſent not to ſuch
'*Bills*, as ſome Perſons, who had then too great an
'Influence even upon both Houſes, judg'd, or
'ſeem'd to judge, to be for the Public Good; and
'as were agreeable to that new *Utopia* of Religion
'and Government, into which they endeavoured

'to

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'to transform this Kingdom, (for, he ſaid, he re-
'membered what Names, and for what Reaſons,
'they left out of the Bill offered him concerning the
'*Militia*, thoſe which themſelves had recommended
'in the *Ordinance)* he would never conſent to the diſ-
'placing of any, whom, for their former Merits,
'and their Affection to his Majeſty and the Public,
'he had entruſted; ſince, he conceived, that to do
'ſo would take away both from the Affection of his
'Servants, and Care of his Service, and the Honour
'of his Juſtice: And, he ſaid, he the more won-
'dered, that it ſhould be ask'd by them, ſince it ap-
'pears by the *twelfth Demand*, that themſelves
'counted it reaſonable, after the preſent Turn was
'ſerved, that the Judges and Officers, who were
'then placed, might hold their Places *quamdiu ſe*
'*bene geſſerint*: And he was reſolved to be as care-
'ful of thoſe whom he had choſen, as they were of
'thoſe they would chuſe; and to remove none,
'till they appeared to him to have otherwiſe beha-
'ved themſelves, or ſhould be convicted, by legal
'Proceedings, to have done ſo.

'But, his Majeſty ſaid, that Demand, as unrea-
'ſonable as it was, was but one Link of a great
'Chain, and but the firſt Round of that Ladder, by
'which his Majeſty's Juſt, Antient, Regal Power
'was endeavoured to be fetch'd down to the
'Ground; for it appeared plainly, that it was not
'with the Perſons now choſen, but with his Ma-
'jeſty's chuſing, that they were diſpleaſed: For they
'demanded, *That the Perſons put into the Places and*
'*Employments of thoſe who ſhould be removed, might*
'*be approved by both Houſes*; which was ſo far from
'being leſs than the Power of Nomination, that of
'two Things, of which he would never grant ei-
'ther, he would ſooner be content, that They
'ſhould Nominate, and He Approve; than They
'Approve, and his Majeſty Nominate; the meer
'Nomination being ſo far from being any Thing,
'that if he could do no more, he would never take
'the Pains to do That; when he ſhould only ha-
'zard whom he eſteem'd to the Scorn of a Refuſal,

'if

'if they happened not to be agreeable not only to 'the Judgment, but to the Paſſion, Intereſt, or Hu- 'mour of the preſent Major Part of either Houſe: 'Not to ſpeak of the great Factions, Animoſities, 'and Diviſions, which that Power would intro- 'duce in both Houſes, and in the ſeveral Counties, 'for the Choice of ſuch Perſons to be ſent to that 'Place where that Power was, and between the 'Perſons that were ſo choſen. Neither was that 'ſtrange Potion preſcrib'd to him only for once, 'for the Cure of a preſent, preſſing, deſperate Diſ- 'eaſe; but for a Diet to him and his Poſterity. It 'was demanded, *That his Counſellors, all chief Of- 'ficers both of Law and State, Commanders of Forts 'and Caſtles, and all Peers hereafter made, be ap- 'proved of*, that is choſen, *by them from Time to 'Time:* And rather than it ſhould be ever left to the 'Crown, (to whom it only did, and ſhould, belong) 'if any Place fall void in the Intermiſſion of Par- 'liament, *the Major Part of the approv'd Council 'was to approve them.* Neither was it only de- 'manded that *his Majeſty ſhould quit the Power and 'Right his Predeceſſors had of appointing Perſons in 'thoſe Places*; but for Counſellors, he was *to be re- 'ſtrained as well in the Number as in the Perſons*; 'and a Power muſt be annexed to thoſe Places 'which their Predeceſſors had not. And, indeed, 'if that Power were paſſed to them, it would 'not be fit he ſhould be truſted to chuſe thoſe who 'were to be truſted as much as himſelf.

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'He told them, to grant their Demands in the 'Manner they propoſed them, *That all Matters that 'concerned the Public*, &c. *ſhould be reſolved and tranſ- 'acted only in Parliament*; *and ſuch other Matters 'of State*, &c. *by the Privy Council ſo choſen*, was, 'in Effect, at once to depoſe himſelf and his Poſte- 'rity. He ſaid, many Expreſſions in their De- 'mands, had a greater Latitude of Signification 'than they ſeem'd to have; and that it concerned 'his Majeſty therefore the more that they ſhould 'ſpeak out; that both he and the People might ei-

'ther

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'ther know the Bottom of their Demands, or know 'them to be bottomleſs. Nothing more concern'd 'the Public, and was indeed more proper for the 'high Court of Parliament, than the making of 'Laws; which not only ought there to be tranſ-'acted, but could be tranſacted no where elſe. But 'then they muſt admit his Majeſty to be a Part of 'the Parliament; they muſt not (as the Senſe was 'of that Part of that Demand, if it had any) deny 'the Freedom of his Anſwer, when he had as much 'Right to reject what he thought unreaſonable, as 'they had to propoſe what they thought conveni-'ent or neceſſary. Nor was it poſſible his *Anſwers*, 'either to *Bills* or any other *Propoſitions*, ſhould be 'wholly free, if he might not uſe the Liberty that 'every one of them, and every Subject, took, to 'receive Advice (without their Danger who ſhould 'give it) from any Perſon, known or unknown, 'ſworn or unſworn, in thoſe Matters in which the 'Manage of his Vote is truſted, by the Law, to 'his own Judgment and Conſcience; which how 'beſt to inform was, and ever ſhould be, left like-'wiſe to him. He ſaid, he would always, with 'due Conſideration, weigh the Advices both of his 'Great, and Privy Council; yet he ſhould like-'wiſe look on their Advices as Advices, not as 'Commands or Impoſitions; upon them, as his 'Counſellors, not as his Tutors or Guardians; 'and upon himſelf, as their King, not as their Pu-'pil or Ward: For, he ſaid, whatſoever of Rega-'lity was, by the Modeſty of Interpretation, left 'in his Majeſty in the firſt Part of the *ſecond De-'mand*, as to the Parliament, was taken from him 'in the ſecond Part of the ſame, and placed in that 'new-fangled Kind of Counſellors; whoſe Power 'was ſuch, and ſo expreſſed by it, that in all public 'Acts concerning the Affairs of the Nation, which 'are proper for the Privy Council (for whoſe Advice 'all public Acts are ſometimes proper, tho' never ne-'ceſſary) they were deſired to be admitted Joint-Pa-'tentees with his Majeſty in the Regality; and it

'was

'was not plainly expreſſed, whether they meant 'his Majeſty ſo much as a ſingle Vote in thoſe Af- 'fairs; but it was plain they meant him no more, 'at moſt, than a ſingle Vote in them, and no more 'Power than every one of the reſt of his Fellow- 'Counſellors.' An. 18. Car. I. 1642. June.

'And ſo, after a ſharp Diſcourſe and Explanation of the Unreaſonableneſs of the ſeveral Demands, or the greateſt Part of them; and the Confuſion that, by conſenting thereunto, would redound to the Subject in general, as well as the Diſhonour to his Majeſty, he told them, 'To all thoſe unreaſonable De- 'mands, his Anſwer was, *Nolumus Leges* Angliæ *mu- 'tari:* But renewed his Promiſe to them for a very 'punctual and ſtrict Obſervation of the known 'Laws eſtabliſh'd; to which Purpoſe he was willing 'an Oath ſhould be framed by them, and taken by 'all his Privy Counſellors. And for any Alter- 'tion in the Government of the Church, that a 'National Synod ſhould be called, to propoſe what 'ſhould be found neceſſary or convenient: And 'that, for the Advancement of the *Proteſtant* Re- 'ligion againſt the *Papiſts*, they had not propoſed 'ſo much to his Majeſty as he was willing to grant, 'or as he had himſelf offered before. He concluded 'with conjuring them, and all Men, to reſt ſatisfied 'with the Truth of his Majeſty's Profeſſions, and 'the Reality of his Intentions, and not to aſk ſuch 'Things as they denied themſelves: That they 'would declare againſt Tumults, and puniſh the Au- 'thors: That they would allow his Majeſty Property 'in his Towns, Arms, and Goods; and his Share in 'the Legiſlative Power; which would be counted, 'in him, not only Breach of Privilege but Ty- 'ranny, and Subverſion of Parliaments, to deny to 'them: And, when they ſhould have given him 'Satisfaction upon thoſe Perſons who had taken a- 'way the one, and recalled thoſe *Declarations* (par- 'ticularly that of the 26th of *May*, and thoſe in 'the Point of the *Militia*, his juſt Rights wherein 'he would no more part with than with his Crown,

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'leſt he enable others, by them, to take that from 'him) which would take away the other; and de-'clined the Beginnings of a War againſt his Ma-'jeſty, under Pretence of his Intention of making 'one againſt them: As he had never oppoſed the 'Firſt Part of the *thirteenth Demand*, ſo he would 'be ready to concur with them in the Latter; and 'being then confident that the Credit of thoſe Men, 'who deſire a General Combuſtion, would be ſo 'weakened with them, that they would not be 'able to do this Kingdom any more Hurt, he would 'be willing to grant his General Pardon, with ſuch 'Exceptions as ſhould be thought fit; and ſhould 'receive much more Joy in the Hope of a full and 'conſtant Happineſs of his People in the true Reli-'ligion, and under the Protection of the Law by a 'bleſſed Union between his Majeſty and his Parlia-'ment, than in any ſuch Increaſe of his own Re-'venue, how much ſoever beyond former Grants, 'as, when his Subjects were wealthieſt, his Parlia-'ment could have ſettled upon his Majeſty.'

Nothing more done, of any Moment, in the Houſe of Lords, for ſome Days, except paſſing one Bill by Commiſſion, *For Encouragement of the Adventurers in* Ireland, till

June 25. When the King's *Anſwer* to the Parliament's *Petition*, preſented to him on the 17th of this Month, in Favour of the *Yorkſhire Petition*, which the King had refuſed to receive from the Hands of Sir *Thomas Fairfax*, at *Heworth-Moor*, was read. The ſaid *Anſwer*, with the *Petition* that occaſioned it, were as follows:

To the KING's *Moſt Excellent Majeſty*,

The HUMBLE PETITION *of the* LORDS *and* COMMONS *in Parliament aſſembled.*

The Parliament's Petition to the King, in favour of the Yorkſhire Petition, which he had refuſed.

'YOUR Majeſty's moſt humble and faithful 'Subjects, the Lords and Commons aſſem-'bled in Parliament, have lately received a *Peti-'tion* from a great Number of the *Gentry*, *Free-'holders*,

'*holders*, and other *Inhabitants* of the County of '*York*, aſſembled there by your Majeſty's Com- 'mand, the third of *June*; wherein they declare 'unto us, *That, having taking a Reſolution to ad-* 'dreſs *themſelves unto your Majeſty in the humble* 'Way of a Petition, *for the Redreſs of thoſe Grie-* 'vances *which they now lie under, they were vi-* 'olently *interrupted and affronted therein by the* 'Earl *of* Lindſey, *the Lord* Saville, *and others*; *and* 'notwithſtanding *all the Means they could uſe to* 'preſent *their juſt Deſires to your Majeſty, yet they* 'could not *prevail with your Majeſty to accept of* 'their Petition; the Copy whereof they have ſent 'to us, with an humble Deſire, that we would 'take ſuch Courſe therein as may tend to the Pre- 'ſervation of their Liberties, and the Peace of the 'Kingdom; and that we would addreſs ourſelves 'to your Majeſty in their Behalf, that, by our Means, 'their Deſires may find better Acceptation with 'your Majeſty.

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'Whereupon having ſeriouſly weighed and con- 'ſidered the Particulars of thoſe their Complaints 'and Deſires, as they are laid down in their *Peti-* 'tion; and finding that the Grievances, they com- 'plain of, are the Increaſe of the Miſeries formerly 'ſuſtained by that County, (which hath, well nigh 'for three Years laſt paſt, been the tragical Stage 'of Armies and War) by reaſon of your Maje- 'jeſty's Diſtance in Reſidence, and Difference in 'Counſels, from your Great Council the Parlia- 'ment, begetting great Diſtempers and Diſtractions 'throughout the Kingdom, and eſpecially in that 'County; the Drawing to thoſe Parts great Num- 'bers of diſcontented Perſons, that may, too juſtly, 'be feared do affect the Public Ruin for their pri- 'vate Advantage; the Drawing together of many 'Companies of Trained Bands, and others, both 'of Horſe and Foot, of that County, and retaining 'Multitudes of Commanders and Cavaliers from 'other Parts; the daily Reſort of Recuſants to your 'Majeſty's Court at *York*; the great Preparations of 'Arms and other warlike Proviſions, to the great

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'Terror and Amazement of your Majeſty's peace-
'able Subjects, and cauſing a great Decay of Trade
'and Commerce amongſt them: All and every of
'which Particulars are againſt the Law, which
'your Majeſty hath made ſo many and ſo frequent
'Profeſſions to uphold and maintain:

'The Lords and Commons finding, on the o-
'ther Side, their humble Deſires to be, *That your*
'*Majeſty would hearken to your Parliament, and,*
'*declining all other Counſels whatſoever, unite your*
'*Confidence to your Parliament; and that your Ma-*
'*jeſty would not divide your Subjects joint Duty to*
'*your Majeſty, the Parliament and Kingdom; nor*
'*deſtroy the Eſſence of your Great Council and Higheſt*
'*Court, by ſubjecting the Determinations and Coun-*
'*ſels thereof to the Counſels and Opinions of any private*
'*Perſon whatſoever; that your Majeſty having paſſed*
'*an Act that this Parliament ſhall not be diſſolved but*
'*by Act of Parliament, your Majeſty would not do any*
'*Thing tending thereunto, by commanding away the*
'*Lords and great Officers, whoſe Attendance is ne-*
'*ceſſary thereunto: And that your Majeſty, having*
'*expreſſed your Confidence in the Affections of that*
'*County, would pleaſe to diſmiſs your extraordinary*
'*Guards, and the Cavaliers and others of that Qua-*
'*lity, who ſeem to have little Intereſt or Affection to the*
'*Public Good; their Language and Behaviour ſpeak-*
'*ing nothing but Diviſion and War, and their Ad-*
'*vantage conſiſting in that which is moſt deſtructive*
'*to others:*

'*And*, laſtly, *That, in ſuch Conſultations and*
'*Propoſitions as your Majeſty maketh to that County,*
'*ſuch may not be thruſt upon them as Men of that*
'*County, that neither by their Fortune or Reſidence*
'*are any Part of it.*

'All which their humble and moſt juſt Deſires
'being according to Law, which your Majeſty
'hath, ſo often, declared ſhould be the Meaſure
'and Rule of your Government and Actions: And
'we, your Majeſty's moſt faithful Subjects, the
'Lords and Commons, fully concurring with the
'Gen-

'Gentlemen and others of the County of *York*, in 'their Aſſurance That thoſe Deſires of theirs will 'abundantly redound to the Glory of God, the 'Honour and Safety of your Majeſty, the Good 'of your Poſterity, and the Peace and Proſperity of 'this Kingdom, do humbly beſeech your Majeſty 'graciouſly to hearken unto them, and to grant 'them; and that you would join with your Parlia- 'ment in a ſpeedy and effectual Courſe, for the 'Preſervation of their Liberties, and the Peace of 'the Kingdom; which Duty, as we are now called 'upon by that County to diſcharge, ſo do we ſtand 'engaged to God and Man for the Performance 'thereof, by the Truſt repoſed in us, and by our 'ſolemn Vow and *Proteſtation*; and your Majeſty, 'together with us, ſtands engaged by the like Obli- 'gation of Truſt, and of an *Oath*, beſides the ma- 'ny and earneſt Profeſſions and Proteſtations which 'your Majeſty hath made to this Purpoſe, to 'your whole Kingdom in general, and to that 'County in particular; the Peace and Quiet of this 'Kingdom, (as is well obſerved by thoſe Gentle- 'men and Free-holders of *Yorkſhire* in their *Peti- 'tion)* being the only viſible Means, under God, 'wherein conſiſts the Preſervation of the *Proteſtant* 'Religion, the Redemption of our Brethren in *Ire- 'land*, and the Happineſs and Proſperity of your 'Majeſty, and of all your Dominions.'

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The KING's ANSWER *to the foregoing* PETITION *of both Houſes.*

'HIS Majeſty hath carefully weighed the Matter of this *Petition*, preſented to him at 'York, on *Friday* the 17th of *June*, by the Lord *Ho- 'ward*, Sir *Hugh Cholmley*, and Sir *Philip Stapylton*: 'And tho' he might refer the Petitioners to his two 'laſt *Declarations*, wherein moſt of the Particulars 'in this *Petition* are fully anſwered, or might refuſe 'to give any *Anſwer* at all, till he had received Sa- 'tisfaction in thoſe high Indignities he hath ſo of- 'ten complained of, and demanded Juſtice for; 'yet,

His Majeſty's Anſwer.

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'yet, that all the World may ſee how deſirous his 'Majeſty is to leave no Act, which ſeems to carry 'the Reputation of both his Houſes of Parliament, 'and in the leaſt Degree to reflect upon his Maje-'ſty's Juſtice and Honour unanſwered, is graciouſ-'ly pleaſed to return this *Anſwer:*

'That if the *Petition*, mentioned to be preſented 'to both Houſes of Parliament, had been annexed 'to this now delivered to him, his Majeſty might 'have diſcerned the Number and the Quality of the 'Petitioners, which his Majeſty hath great Reaſon 'to believe, was not in Truth ſo conſiderable as is 'pretended; for his Majeſty aſſures you, That he 'hath never refuſed any *Petition* ſo atteſted as that 'would be thought to be: But his Majeſty well re-'members, That on the third of *June*, when there 'was, upon his Majeſty's *Summons*, the greateſt 'and moſt chearful Concourſe of People that ever 'was beheld of one County, appearing before him 'at *York*, a Gentleman (one Sir *Thomas Fairfax*) 'offered, in that great Confluence, a *Petition* to 'his Majeſty; which his Majeſty, ſeeing to be a-'vowed by no Man but himſelf, and the general 'and univerſal Acclamations of the People ſeeming 'to diſclaim it, did not receive; conceiving it not 'to be of ſo public a Nature, as to be fit to be pre-'ſented or received in that Place. And his Ma-'jeſty is moſt confident (and in that muſt appeal to 'thoſe who were then preſent) that whatever the 'Subſtance of that *Petition* was, it was not con-'ſented to by any conſiderable Number of Gentry, 'or Freeholders of this County; but ſolicited by a 'few mean inconſiderable Perſons, and diſliked and 'viſibly diſcountenanced by the great Body of the 'known Gentry, Clergy, and Inhabitants of this 'whole County. And if the Matter of that *Peti-'tion* were ſuch as is ſuggeſted in this, his Majeſty 'hath great Reaſon to believe it was framed and 'contrived (as many others of ſuch Nature have 'been) in *London*, not in *Yorkſhire*. For ſure no 'Gentleman of Quality and Underſtanding, of 'this County, would talk of his great Prepara-

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'yet, that all the World may ſee how deſirous his 'Majeſty is to leave no Act, which ſeems to carry 'the Reputation of both his Houſes of Parliament, 'and in the leaſt Degree to reflect upon his Maje-'ſty's Juſtice and Honour unanſwered, is graciouſ-'ly pleaſed to return this *Anſwer:*

'That if the *Petition*, mentioned to be preſented 'to both Houſes of Parliament, had been annexed 'to this now delivered to him, his Majeſty might 'have diſcerned the Number and the Quality of the 'Petitioners, which his Majeſty hath great Reaſon 'to believe, was not in Truth ſo conſiderable as is 'pretended; for his Majeſty aſſures you, That he 'hath never refuſed any *Petition* ſo atteſted as that 'would be thought to be: But his Majeſty well re-'members, That on the third of *June*, when there 'was, upon his Majeſty's *Summons*, the greateſt 'and moſt chearful Concourſe of People that ever 'was beheld of one County, appearing before him 'at *York*, a Gentleman (one Sir *Thomas Fairfax*) 'offered, in that great Confluence, a *Petition* to 'his Majeſty; which his Majeſty, ſeeing to be a-'vowed by no Man but himſelf, and the general 'and univerſal Acclamations of the People ſeeming 'to diſclaim it, did not receive; conceiving it not 'to be of ſo public a Nature, as to be fit to be pre-'ſented or received in that Place. And his Ma-'jeſty is moſt confident (and in that muſt appeal to 'thoſe who were then preſent) that whatever the 'Subſtance of that *Petition* was, it was not con-'ſented to by any conſiderable Number of Gentry, 'or Freeholders of this County; but ſolicited by a 'few mean inconſiderable Perſons, and diſliked and 'viſibly diſcountenanced by the great Body of the 'known Gentry, Clergy, and Inhabitants of this 'whole County. And if the Matter of that *Peti-'tion* were ſuch as is ſuggeſted in this, his Majeſty 'hath great Reaſon to believe it was framed and 'contrived (as many others of ſuch Nature have 'been) in *London*, not in *Yorkſhire*. For ſure no 'Gentleman of Quality and Underſtanding, of 'this County, would talk of his great Prepara-

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'tions of Arms, and other warlike Proviſions, to the great Terror and Amazement of his peaceable Subjects, when they are Witneſſes of the violent taking his Arms from him, and ſtopping all Ways for bringing more to him: And if there were no greater Terror and Amazement of his Majeſty's peaceable Subjects, in other Places, by ſuch Preparations and Proviſions, there would be no more Cauſe to complain of a great Decay of Trade and Commerce there, than is in this Place: But his Majeſty hath ſo great an Aſſurance of the Fidelity and general Affections of his good Subjects of this County, (which he hopes will prove exemplary over his whole Kingdom) that he hath great Cauſe to believe, That they do rather complain of his Majeſty's Confidence, and of his Slowneſs; that whilſt there is ſuch Endeavour abroad to raiſe Horſe, and to provide Arms againſt his Majeſty, and that Endeavour put in Execution, his Majeſty truſts ſo much to the Juſtice of his Cauſe and the Affections of his People; and neglects to provide Strength to aſſiſt that Juſtice, and to protect thoſe Affections. For any Affronts offered, by the Earl of *Lindſey* and the Lord *Saville*, to thoſe who intended to petition his Majeſty, his Majeſty wiſhes that both his Houſes of Parliament would have examined that Information, and the Credit of the Informers, with that Gravity and Deliberation, as in Caſes which concern the Innocence and Honour of Perſons of ſuch Quality hath been accuſtomed; before they had proſcribed two Peers of the Realm, and expoſed them (as much as in them lay) to the Rage and Fury of the People, under the Character of being Enemies to the Common-wealth; a Brand newly found out (and of no legal Signification) to incenſe the People by, and with which the Simplicity of former Times was not acquainted: And then his Majeſty hath ſome Reaſon to believe they would have found themſelves as much abuſed in the Report concerning thoſe Lords, as he is ſure they are in thoſe which tell them of *the Re-*

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'ſort of great Numbers of diſcontented Perſons to him, 'and of the other Particulars, mentioned to be in 'that *Petition:* Whereas they who obſerve what 'Reſort is here to his Majeſty, well know it to be 'of the prime Gentlemen of all the Counties in '*England*; whom nothing but the Love of Reli-'gion, the Care of the Laws and Liberties of the 'Kingdom, beſides their Affection to his Perſon, 'could engage in ſo great Journies, Trouble, and 'Expence: Men of as precious Reputation, and as 'exemplary Lives as this Nation hath any; whoſe 'Aſſiſtance his Majeſty knows he muſt not expect, 'if he ſhould have the leaſt Deſign againſt Honour 'and Juſtice; and ſuch Witneſſes his Majeſty de-'ſires to have of all his Actions.

'*For the declining all other Counſels, and the uni-'ting of his Confidence to his Parliament*; his Ma-'jeſty deſires both his Houſes of Parliament ſeriouſly 'and ſadly to conſider, That it is not the Name of 'a Great or Little Council that makes the Reſults 'of that Council juſt or unjuſt; neither can the 'Imputation upon his Majeſty, of *not being adviſed 'by his Parliament*, (eſpecially ſince all their Ac-'tions, and all their Orders are expoſed to the pub-'lic View) long miſlead his good Subjects, ex-'cept in Truth they ſee ſome particular ſound Ad-'vice, neceſſary to the Peace and Happineſs of the 'Common-wealth, diſeſteemed by his Majeſty; 'and ſuch an Inſtance, he is moſt aſſured, neither 'can nor ſhall be given: And that they will think 'it Merit in his Majeſty, from the Commonwealth, 'to reject ſuch Counſel as would perſuade him to 'make himſelf none of the Three Eſtates; and by gi-'ving up his Negative Voice, to allow them a Power 'ſuperior to that which the Law hath given him, 'whenſoever it pleaſeth the Major Part, preſent, 'of both Houſes to ſay, *That he doth not diſcharge 'his Truſt, as he ought*; and to ſubject his, and his 'Subjects, unqueſtionable Right and Property to 'their *Votes*, without, and againſt, Law, upon 'the meer Pretence of Neceſſity. And his Maje-'ſty muſt appeal to all the World who it is *that*

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'*endeavours to divide the joint Duty of his Subjects*; 'his Majeſty, who requires nothing but what their 'own Duty, guided by the infallible Rule of the 'Law, leads them to do; or they, who, by *Orders* 'and *Votes* (oppoſite and contradictory to Law, 'Cuſtom, Precedent, and Reaſon) ſo confound the 'Affections and Underſtandings of his good Sub-'jects, that they know not how to behave them-'ſelves with Honeſty and Safety; whilſt their Con-'ſcience will not ſuffer them to ſubmit to the one, 'nor their Security to apply themſelves to the other. An. 18. Car. I. 1642. June.

'It is not the bare ſaying, *That his Majeſty's Ac-'tions are againſt the Law*, (with which he is re-'proached in this *Petition*, as if he departed from 'his often *Proteſtations* to that Purpoſe) muſt con-'clude him; there being no one ſuch Particular in 'that *Petition* alledged, of which his Majeſty is, 'in the leaſt Degree, guilty. Whether the ſame 'Reverence and Eſteem be paid by you to the Law, '(except your own *Votes* be Judges) needs no other 'Evidence than thoſe many, very many, *Orders*, 'publiſhed in Print, both concerning the Church 'and State; thoſe long Impriſonments of ſeveral 'Perſons, without hearing them, upon general In-'formation; the great unlimited Fees to your Of-'ficers, worſe than the Impriſonment, and the ar-'bitrary Cenſure upon them when they are admit-'ted to be heard: Let the Law be Judge by whom 'it is violated.

'For that Part of the *Petition* which ſeems to 'accuſe his Majeſty of a *Purpoſe to diſſolve this Par-'liament*, (contrary to the Act for the Continuance) '*by commanding away the Lords and great Officers, 'whoſe Attendance is neceſſary*: This his Majeſty well 'knows to be a new Calumny, by which the grand 'Contrivers of Ruin for the State hope to ſeduce 'the Minds of the People from their Affection to, 'or into Jealouſy of, his Majeſty; as if he meant, 'this Way, to bring this Parliament (which may be 'the Caſe of all Parliaments) to nothing. It is 'not poſſible for his Majeſty more to expreſs his 'Affection to, and his Reſolution for, the Free-

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'dom, Liberty, and Frequency of Parliaments, 'than he hath done: And whoever conſiders how 'viſible it muſt be to his Majeſty, That it is impoſ-'ſible for him to ſubſiſt without the Affections 'of his People, and that thoſe Affections cannot 'poſſibly be preſerved, or made uſe of, but by Par-'liaments, cannot give the leaſt Credit, or have 'the leaſt Suſpicion, that his Majeſty would chuſe 'any other Way to the Happineſs he deſires for 'himſelf and his Poſterity, but by Parliaments.

'But for his calling the Lords hither, or any 'others abſenting themſelves who have not been 'called, whoever conſiders the Tumults (which 'no *Votes* or *Declaration* can make to be no Tu-'mults) by which his Majeſty was driven away, 'and many Members of either Houſe in Danger of 'their Lives; the Demanding of the Names of 'thoſe Lords, who would not conſent to their *Pro-'poſitions*, by a *Meſſage* from the Houſe of Commons 'delivered at the Bar by Mr. *Holles*; with that moſt 'tumultuous *Petition* in the Name of many Thou-'ſands, (among many others of the ſame Kind) di-'rected to the Houſe of Commons, and ſent up by 'them to the Houſe of Lords, taking Notice of the 'Prevalency of a Malignant Faction which made 'abortive all their good Motions that tended to the 'Peace and Tranquility of the Kingdom; deſiring 'that thoſe Noble Worthies of the Houſe of Peers, 'who concurred with them in their happy *Votes*, 'might be earneſtly deſired to join with that Ho-'nourable Houſe, and to ſit and vote as one intire 'Body; profeſſing, That unleſs ſome ſpeedy Re-'medy were taken for the Removal of all ſuch Ob-'ſtructions as hindered the happy Progreſs of their 'great Endeavours, their Petitioners ſhould not reſt 'in Quietneſs; but ſhould be inforced to lay hold 'of the next Remedy which was at hand, to re-'move the Diſturbers of their Peace; and (Want 'and Neceſſity breaking the Bounds of Modeſty) 'not to leave any Means uneſſayed for their Relief: 'Adding, that the Cry of the Poor and Needy was,

'That

'That ſuch Perſons who were the Obſtacles of their Peace, and Hinderers of the happy Proceedings of this Parliament, might be forthwith publickly declared; whoſe Removal, they conceived, would put a Period to theſe Diſtractions. Upon which, a great Number of Lords departing, the *Vote*, in order to the *Ordinance* concerning the *Militia*, was immediately paſſed; though it had been twice before put to the Queſtion, and rejected by the Votes of much the Major Part of that Houſe. And whoever conſiders the ſtrange *Orders*, *Votes*, and *Declarations* which have ſince paſſed, to which whoſoever would not conſent, that is, with Freedom and Liberty of Language proteſt againſt, was in Danger of Cenſure and Impriſonment, will not blame our Care in ſending for them, or theirs in coming, or abſenting themſelves from being involved in ſuch Concluſions. Neither will it be any Objection, *That they ſtayed there long after any Tumults were, and therefore that the Tumults drave them not away.* If every Day produced *Orders* and *Reſolutions* as illegal as, and indeed but the Effects of, the Tumults, there was no Cauſe to doubt the ſame Power would be ready to prevent any Oppoſition to thoſe *Orders* after they were made, which had made Way and Preparation for the Propoſition of them; and ſo whoſoever conceived himſelf in Danger of future Tumults (againſt which there is not the leaſt Proviſion) was driven away by thoſe which were paſt. And his Majeſty hath more Reaſon to wonder at thoſe who ſtay behind, after all his legal Power is *voted* from him, and all the People told, *That he might be, with Modeſty and Duty enough, depoſed*, than any Man hath at thoſe who have been willing to withdraw themſelves from the Place where ſuch deſperate and dangerous Poſitions are avowed. This his Majeſty doth not mention, with the leaſt Thought of leſſening the Power or Validity of any Act to which he hath given his Aſſent this Parliament; all and every of which he ſhall as inviolaby obſerve, as he looks to have his

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'own Rights preſerved; but to ſhew by what 'Means ſo many ſtrange *Orders* have of late been 'made: And to ſhew how earneſtly his Majeſty 'deſires to be preſent with, and receive Advice 'from, both Houſes of Parliament, (againſt whom 'it ſhall never be in the Power of a Malignant 'Party to incenſe him) his Majeſty again offers his 'Conſent, That both Houſes may be adjourned to 'any other Place which may be thought conve-'venient, where his Majeſty will be preſent, and 'doubts not but the Members of either Houſe will 'make a full Appearance; and even the Intermiſ-'ſion, which muſt attend ſuch an Adjournment, 'may not be the leaſt Means of recovering that 'Temper which is neceſſary for ſuch Debates.

'And this his Majeſty conceives to be ſo very 'neceſſary, that if the Minds and Inclinations of 'every Member of either Houſe were equally com-'poſed, the Licence is ſo great that the mean Peo-'ple about *London* and the Suburbs have taken, 'that, both for the Liberty and Dignity of Parlia-'ment, that Convention, for a Time, ſhould be in 'another Place. And ſure, how much ſoever the 'Safety and Security of this Kingdom depends on 'Parliaments, it will never be thought that thoſe 'Parliaments muſt of Neceſſity be at *Weſtminſter*.

'His Majeſty's Confidence is no leſs than he hath 'expreſſed (and hath great Cauſe to expreſs) in the 'Affections of this County; an Inſtance of which 'Affections all Men know his Guard (which is 'not extraordinary) to be; and wonders that ſuch 'a legal Guard, at his own Charge, for his Perſon, '(within twenty Miles of a Rebellion, and of an 'Army in Pay againſt him) ſhould be objected to by 'thoſe, who, for ſo many Months, and in a Place 'of known and confeſſed Security, have, without 'and againſt Law, kept a Guard for themſelves, 'at the Charge of the Common-wealth, and upon 'that Stock of Money which was given for the Re-'lief of the miſerable and bleeding Condition of '*Ireland*, or the Payment of the great Debt due to 'our Kingdom of *Scotland*.

'For

'For the Reſort of *Papiſts* to the Court; his Ma- An. 18. Car. I. 1642.
'jeſty's great Care for the Prevention thereof is June.
'notoriouſly known: That when he was informed
'two or three of his intended Guard were of that
'Religion, he gave ſpecial Direction, with Expreſ-
'ſions of his Diſpleaſure, that they ſhould be im-
'mediately diſcharged; and provided that no Per-
'ſon ſhould attend on him, under that Relation,
'but ſuch as took the Oaths of Allegiance and Su-
'premacy; that he commanded the Sheriff to pro-
'ceed with all Severity, according to the Law, a-
'gainſt all *Papiſts* that ſhould come within five
'Miles of the Court; and if, notwithſtanding this,
'there be any *Papiſts* near the Court, (which his
'Majeſty aſſures you he knows not, nor hath heard,
'but by this *Petition*) he doth hereby command
'them to depart; and declares to all Officers and
'Miniſters of Juſtice, that they ſhall proceed ſtrict-
'ly againſt them, according to the Law, and as
'they will anſwer the contrary at their Perils.

'For the Language and Behaviour of the Ca-
'valiers (a Word, by what Miſtake ſoever it ſeems,
'much in Diſfavour) there hath not been the leaſt
'Complaint here; and therefore 'tis probable the
'Fault was not found in this County. Neither
'can his Majeſty imagine what is meant by the
'Mention of *any Men thruſt upon them, in ſuch*
'*Conſultations and Propoſitions as his Majeſty makes*
'*to this County, who are neither by their Fortune or*
'*Reſidence, any Part of it*; and therefore can make
'no *Anſwer* to it.

'To conclude: His Majeſty aſſures you, he hath
'never refuſed to receive any *Petition*, (whether
'you have or not yourſelves beſt know) and will
'conſider what Reputation it will be to you of Ju-
'ſtice or Ingenuity to receive all *Petitions*, how
'ſenſeleſs and ſcandalous ſoever, of one Kind, un-
'der the Pretence of underſtanding the good Peo-
'ples Minds and Affections; and not only refuſe
'the *Petition*, but puniſh the Petitioners of ano-
'ther Kind, under Colour, That it is a Crime,
'that they are not ſatisfied with your Senſe; as if

'you

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'you were only truſted by the People of one Opi-
'nion, to take all Pains to publiſh and print *Peti-*
'*tions* which agree with your Wiſhes, though they
'were never preſented; and to uſe the ſame Indu-
'ſtry and Authority to keep thoſe, that indeed were
'preſented and avowed, from being publiſhed, (tho'
'by our own Authority) becauſe the Argument is
'not pleaſant to you; to pretend Impartiality and
'Infallibility, yet to expreſs the greateſt Paſſion and
'Affection in the Order of your Proceedings, and
'no leſs Error and Miſunderſtanding in your Judg-
'ments and Reſolutions.

'He doth remember well the Obligation of his
'Truſt, and of his Oath; and deſires that you will
'do ſo too, and your own ſolemn Vow and *Pro-*
'*teſtation*; and then you will not only think it con-
'venient, but neceſſary, to give his Majeſty a full
'Reparation for all the Scandals laid upon him, and
'all the ſcandalous Poſitions made againſt him;
'and that it is leſs Diſhonour to retract Errors,
'than, by avowing, to confeſs the Malice of them;
'and will ſee this to be the ſureſt Way for the Pre-
'ſervation of the *Proteſtant* Religion, the Redemp-
'tion of your Brethren in *Ireland*, the Happineſs
'and Proſperity of yourſelves, and all our Domi-
'nions, and of the Dignity and Freedom of Par-
'liament.'

A Conference thereupon.

The foregoing *Petition* and *Anſwer* being read, the Lords reſolved to deſire a Conference with the Commons thereupon, 'Being (as it is expreſſed in their *Journals*) a Matter the moſt dangerous and higheſt that ever came to them; whereby it appeared, that divers ſcandalous and falſe Informations were come to his Majeſty's Ears, even of Things within their own Walls; which, becauſe he ſeemed to believe and declare to the World, under his own Name, it was high Time for both Houſes to clear themſelves from thoſe Calumnies, by the Puniſhment of thoſe falſe Informers, and by all other good Ways that can be thought of.' This was to be the Subject of the Conference.

It

It was alſo *ordered*, 'That it be referred to the Committee, formerly appointed to clear the Houſe from the Imputations laid on them in his Majeſty's *Meſſages*, to collect all the Falſities and Scandals contained in this and the other *Meſſages*; to ſet them forth in one *Declaration*; and to ſhew the ſeveral Violations of the Laws, ſince the Profeſſions to the contrary; yet notwithſtanding to expreſs their Duty to his Majeſty, and their Care of the Peace; and to declare, that the Houſe does intend to go on with the *Propoſitions*; and that, at the Time of theſe ſharp *Meſſages*, there is a Gathering of Forces together, and a Deſign to fortify *Newcaſtle*; and to ſhew what Neceſſity there is, upon theſe Occaſions, to ſtir up the People to their Subſcriptions.' An. 18. Car. I. 1642. June.

A *Proclamation* of the King againſt levying of Horſe, bringing in of Money, Plate, *&c.* for the Uſe of the Parliament, having been attempted to be proclaimed in *London*; and, by Order of the Lord Mayor, poſted up at the uſual Places in the City; the Sword Bearer, who did it, was ſent for, and committed to the Fleet. The Lord Mayor and Sheriffs were alſo ordered to attend the Houſe the next Day: But the Lord Mayor, at his Appearance, averring, That he was bound, by his Oath, to execute all Writs from the King, he was told by the Speaker, in the Name of the Houſe, 'That he was not bound, by any Oath, to execute any Writ againſt Law; and that they required him not to publiſh any Thing of that Kind, before he had acquainted the Parliament therewith; as he would anſwer the contrary at his Peril.' The Lord Mayor, &c. cenſured for diſperſing a Proclamation of the King's.

Nothing material happened after this, in the Houſe of Lords, till the next Month; but, on the 27th of this, the Commons took into Conſideration their *Nineteen Propoſitions* to the King for Peace, and his *Anſwer* to them: And, in a full Houſe, it was firſt *reſolved*, 'That the Houſe ſhould not inſiſt upon naming the Lord High Steward of *England*, mentioned in the *third Propoſition*. Debate on the Nineteen Propoſitions.

Re-

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Reſolved, 'That the Houſe ſhall inſiſt upon the Lord Chancellor, or Lord Keeper of the Great Seal, to be always choſen with the Approbation of both Houſes of Parliament.'

The like *Reſolutions* were ſeparately made on the Parliament's Nomination of the Lord Treaſurer, Lord Admiral, Lord Chief Governor of *Ireland*, Maſter of the Wards, the two Chief Juſtices and the Chief Baron; but they gave up to the King the Election of the Lord Privy-Seal, the Earl Marſhal, Warden of the *Cinque-Ports*, Chancellor of the *Exchequer*, and the two Secretaries of State: With ſome other Amendments.

Affairs at this Time began to grow very critical between the King and Parliament; and, after ſo long a Paper War as had been carried on and ſtill continued, both Sides ſeem now reſolved to determine the Controverſy by the Sword. The Parliament had received repeated Aſſurances from their Agents, the Lord Lieutenants, of the good Succeſs of their *Militia Ordinance* in moſt Parts of the Kingdom; and they had now great Store of Men and Money in Readineſs, tho' we do not find that any conſiderable Number of Forces were yet drawn together: But that the Minds of all the King's Subjects were not, at this Time, wholly alienated from him, will appear from the following remarkable *Letter*, ſent from the Sheriff and Gentry of the County of *Nottingham*, to Sir *Thomas Hutchinſon*, Knt. and *Robert Sutton*, Eſq; their Repreſentatives in Parliament; which, as it will beſt expreſs the Senſe of the Royal Party at this Time, we ſhall give in its own Words: (*a*)

A Letter from the Sheriff and Gentry of Nottinghamſhire to their Members.

Gentlemen,

FInding, to our great Grief, by divers printed Declarations, *the unhappy Differences betwixt his Majeſty and his Parliament; and from thence apprehending great Fear of further Diſtractions, we have thought*

(*a*) From the original Edition, printed at *York*, *July* 1, 1642, by *Robert Barker*.

thought fit to impart our Hearts freely unto you as Men choſen by, and intruſted for us, to repreſent us and our Deſires in the Honourable Houſe of Commons. An. 18. Car. I. 1642. June.

In the firſt Place, upon all Occaſions, we deſire you to tender the Acknowledgement of our humble and hearty Thanks for thoſe many good Laws, which, by their Care and Wiſdom, together with his Majeſty's Grace and Favour, have been obtained for us, both for the ſecuring us in the Point of our Property, and alſo for the freeing us from the unlimited Power of Arbitrary Government: And herein his Majeſty having concurred with you in all that we could expect or can deſire, both for our Perſons and Eſtates; and at ſeveral Times promiſed to join with his Parliament for the reforming and reducing both the Doctrine and Diſcipline of the Church to the beſt and pureſt Times ſince the Reformation; and if this were done, what others would expect we know not, we deſire no more.

And now we cannot but ſtand amazed to ſee the King, the Lords, and Commons agree in all that we can think neceſſary for Reformation, and for ſecuring us hereafter to be governed according to the good Laws of the Land in Force, and yet ſuch great Diſtraction among thoſe three Eſtates. We heard long ſince Reports, and ſaw printed Papers of the great Dangers of Papiſts, *and that even in our own County; but believe there was no Truth nor Ground for any ſuch. We heard great Rumours of foreign Forces from* France *and* Denmark; *but, Thanks be to God, we ſee no ſuch Danger: And yet, under theſe Pretences, there is great Preparation of putting us in a Poſture of Defence, and a great Neceſſity pretended of ſettling the* Militia; *but we ſee more Cauſe to fear the Remedy than the Diſeaſe: For this Poſture, as you call it, of Defence doth carry a Face of War with it even amongſt ourſelves; and concerning it we are diſtracted with contrary Commands; the Houſes of Parliament command one Thing, the King forbids that Command; the King commands, and the Houſes of Parliament forbid that Command; and we are at a Stand; but yet we are ever ready to yield Obedience to all the known Laws of the Land; and we have ever been taught, That*

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all thoſe Laws were made by Parliaments, conſiſting of three Eſtates, the King, Lords, and Commons; and we think it dangerous to untwiſt that triple Cord: And we hold it our greateſt Privilege, That the King and Lords, whom we have heard ſometime joined in Council, could not make a Law to bind us without our Conſent in Parliament; and, by the ſame Reaſon, we cannot expect that the Commons, with the Lords, ſhould make a Law, or an Ordinance *of the Force of a Law, to bind without the King, eſpecially againſt the King. And as we do not yield any Act of Obedience to the King's Command ſimply, but as it is warranted by Law, made by his Authority, with the Conſent of both Houſes, ſo we ſhall not conceive ourſelves bound to obey one or both Houſes without the King, but in ſuch Things as are according to the known Laws of the Land.*

When the King, by his Writ, gave us Power to chuſe you, it was to treat De quibuſdam arduis, *&c. We never conceived your only* Votes *ſhould be our Law, nor conceived we had ſuch a Power to confer upon you: And we require you not to conſent to lay any ſuch Command upon us, nor to engage us in any Civil War for the Maintenance of ſuch* Votes, *under Colour of Privileges, againſt our lawful King; to whom many of us, by the Appointment of the Law, have taken the Oath of Supremacy and Allegiance, to which all of us are bound. And beſide, we have, at the Command of both Houſes, taken the late* Proteſtation; *wherein we have vowed to maintain the Doctrine of the Church of* England, *his Majeſty's Royal Perſon, Honour, and Eſtate, the Privileges of Parliament, and the Liberties of the Subject; and we ſhall endeavour to maintain every Part and Clauſe thereof reſpectively with our Lives and Fortunes: And we conceive our beſt Directions therein to be the known Laws, the Maintenance whereof we account our only Liberty and Defence. And we account the ſureſt Way to enjoy the Benefit of theſe Laws, is to join and comply with his Majeſty, under whoſe Protection, next under God, we can only hope to enjoy the Benefit thereof; eſpecially his Majeſty having, ſince this Parliament, joined in the making of*

as

as good Laws as ever any King hath done; and made ſo gracious Promiſes of his future Government according to the Law, and given abundant Satisfaction for ſome unhappy Accidents in his paſt Government, that we conceive great Cauſe to return him cheerful Thankfulneſs for theſe Laws; and to yield a faithful Obedience, and to confide in him for the future. An. 18. Car. I. 1642. June.

This is the clear Expreſſion of our Hearts: This is what we deſire you to conſent in for us. And we ſhall heartily pray that we might be an Example to many others to make the like Expreſſions; and then we ſhould not doubt but this would bring a right Underſtanding betwixt the King and his People; and take away all Fears and Jealouſies, and ſettle a firm Peace amongſt us.

We ſhould gladly, with all Humility, have petitioned your Honourable Houſe, but ſtill to this Purpoſe; but we underſtand ſome Counties have done ſo, which hath been diſpleaſing unto them, becauſe contrary to their Senſe; and we, perhaps, through Ignorance, might fall into the ſame Error: Yet we hope it will not be diſpleaſing unto you, that we give you our Senſe freely, for you are us; and we hope you will not be unwilling to follow our Senſe, ſo far as you conceive it to be the Senſe of your County, whoſe you are, and for whom you ſerve. And ſo we reſt

Your very loving Friends and Countrymen,

John Digby, *High Sheriff*	Edmund Haſtings
John Byron	Edward Andrews
Richard Parkyns	Thomas Blackwall
William Appleton	William Sandys
Robert Pilſon	Thomas Longford
George Laſcelles	Gervaſe Sandford
Matthew Palmer	Richard Harpur
Roger Cooper	Gabriel Armſtrong
Iſham Parkyns	Acton Burnell
Jo. Wood	Samuel Bolles
Gervaſe Holles	Rowl. Pand
Richard Byron	John Odingſells
Jo. Nevile	Anthony Gilby

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Robert Eyre	John Lee
Parke Creſſy	Jo. Worſdale
Thomas Houlder	William Shipman
Robert Saunderſon	Charles Leek
John Walker	William Apſley
Thomas Fox	Francis Cavendiſh
J. Bolles	Charles North
William Smyths	Matthew Palmer
Nich. Stoyt	Richard Hollowell
Thomas Hollowell	Roger Jackſon
Richard Draper	John Leeke
Thomas Atkinſon	Richard Simman
Lancellot Rolſton	Stephen Broome
Thomas Newton	William Colby
William Wild	John Newport
Herbert Leek	Henry Caldecott
Thomas Brown	Edward Holland
William Smythſon	Henry Broome
Jo. Goſling	William Hacker
William Oglethorpe	James Forbeny
George Laſcelles	Job Holden
John Clay	Richard Bowyer
George Mitford	William Pocklington
William Needham	Henry Green
Richard Brough	Walter Garrington
John Butterworth	John Grundy
Thomas Poole	G. Flower

To return to the *Journals*:——

July 1. The Lord Admiral informed the Lords, That ſome Letters, intercepted by a Ship ſtationed on the *Northern* Coaſt, were ſent to him, which did concern the Safety of the Kingdom: And one of them, wrote by Colonel *Wilmot* to one Mr. *Crofts*, in *Holland*, was then read, and was *in hæc Verba.*

Dear WILL.

An intercepted Letter from Col. Wilmot.

BY theſe laſt Letters to the Queen, you will find a great Alteration of Buſineſs here. The King, that, very lately, appeared almoſt abandoned by all his Sub-

Subjects, is now become the Favourite of the Kingdom; yet, I believe, his Enemies are not ſo neglected, as not to be able to raiſe an Army to oppoſe him: And, indeed, here lies the Teſt, for they will be followed juſt enough to forfeit their Eſtates; which, I have heard you often ſay, were better beſtowed on ſome of us.— Yeſterday there came a Meſſenger from the Houſe, who had an Order, *and did raiſe the Power of the County to entreat* Berkley, Aſhburnham, *and myſelf, to come to ſpeak to the Houſe; but the King gave the Meſſenger a ſhort Anſwer, and an Officer, or two, gave him a ſhort Cudgel; ſo he is returned to* London *a fine Gentleman, with his Arm in a Scarf. Dear* Will *conſerve me in your good Opinion, for I aſſure you I am*

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Your affectionate humble Servant,

York, June 22, 1642.

H. WILMOT.

At a Conference this Day, alſo, the Commons communicated an Abſtract of ſome Letters they had received from *Newcaſtle*, dated the 22d and 28th of *June*, which were as follows.

Informations from Newcaſtle.

WE fear a Storm, and we ſee it already begun. The Earl of Newcaſtle *came here on* Friday *laſt, to be Governor of* Newcaſtle. *He hath taken up a great many Soldiers, and our Town is now guarded. Capt.* Legge *is there with a great many debauched Commanders; and Drums go about for all Soldiers that will ſerve the King and Parliament, as they ſay; they refuſe none, whatſoever Condition they be of.*

Three hundred Soldiers are ſent down to Tinmouth *Caſtle to guard it; and they have all Arms given them out of the Magazine here in this Town: There are great Guns going down to them, ſix Pieces: They are caſting up Trenches as faſt as may be: There is a Fort making at the Haven Mouth, that no Ships can go in or out without their Leave. We never lived in the like Fear which now we live in.*

The Earl of Newcaſtle, *who is Lord-Lieutenant, hath forced all his Tenants to take up Arms; and*

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there is many of Sir William Widdrington's *own Tenants have taken Arms. Sir* William *is now at this preſent in Parliament; but his Chief Steward brought them in. I was down at* Shields *and ſaw the Trenches myſelf. Yeſterday all the Conſtables in this Town were commanded to go through their ſeveral Wards, and take Notice what Arms are in them, and to give a Liſt to the Lord-Lieutenant. They have got Engineers out of* Germany, *and Gunners for their great Guns. The Earl of* Newcaſtle *came hither laſt Week, and, in his Way, gave out a* Warrant *to the Sheriff and other Officers of the County of* Durham, *to ſend here* 100 *Horſe, and* 500 *Foot with their Officers. There are come in, of the Earl's and Sir* William Widdrington's *Tenants, about* 200, *and have taken Arms much againſt their Wills. At* Durham *the Drum beat up, they ſaid, for the King; but ſince they came here, it is ſtruck up for the King and Parliament. The Earl is making Forts at* Shields, *one on each Side. There is divers of the great Ordnance removed to the Key-ſide to be ſent down. There is here an Expectation of ſome Direction from Parliament to countermand them; and if ſpeedy Courſe were yet taken, it might reduce all that is done.*

Next follows in the *Journals*, a Copy of the Earl of *Newcaſtle's Warrant*, directed to the High Sheriff, Deputy-Lieutenants, and Juſtices of the Peace for the County of *Durham*, for raiſing 100 Horſe and 500 Foot, as aforeſaid; which, being only Matter of Form, we omit, in order to come at the more material *Reſolutions* of Parliament upon this Intelligence. And,

A Conference thereupon.

Firſt, Was repreſented the Inconveniences and Danger, by bringing of Soldiers into *Newcaſtle*; as, That it was an eaſy Receptacle for foreign Forces. A Receptacle, alſo, for ſuch ill-affected Perſons, as might repair thither out of the *South* Parts of *Scotland*. They would have the Power of reſtraining the Trade of Sea-Coal, and enhancing the Price, having the entire Command over them. The well-affected People there would be too much

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diſcouraged, as they had been too much already, by putting in theſe Forces; and the *Papiſts*, thereabouts, would be much encouraged, wherewith *Northumberland* and the *Biſhoprick* do much abound; and the Party of Malignant Clergy, which is ſtrong there alſo, would be ready to join with them. *Laſtly*, The Fear of begetting a Jealouſy between the two Nations of *England* and *Scotland*, and breaking the *Pacification*. An. 18. Car. I. 1642. July.

Next, For the Illegality of this Proceeding: It was done by a *Warrant* from the Earl of *Newcaſtle*, to the Sheriff, Deputy-Lieutenants, *&c.* of the Biſhoprick of *Durham*; reciting a *Warrant* of his Majeſty's, who had made him Lord-Lieutenant of the Counties of *Northumberland* and *Durham*, and Governor of *Newcaſtle*, and giving him Power to place a Garriſon there. This was illegal, becauſe all ſuch Commiſſions of Lieutenancy, *&c.* were declared to be againſt Law. The Drawing of armed Men, out of one County into another, by any *Warrant*, as this was, is alſo againſt Law.

The Remedy propoſed for this, was, *firſt*, To ſet out a *Declaration* againſt this illegal Proceeding. *Next*, To command the Inhabitants of the Counties of *Durham* and *Northumberland*, not to ſuffer ſuch Forces to go out of their Counties; nor to ſend any ſuch into *Newcaſtle*; with an Inhibition to the Inhabitants of that Place to receive any. That two of the King's Ships ſhould be ſent to guard the Mouth of the *Tyne*, and to receive and execute, from Time to Time, the Directions of Parliament, for the Preſervation of that Place, and prevent the Inconveniences that may happen from the new built Fort. All which was agreed to by both Houſes.

Account of Officers, Ammunition, &c. coming from Holland, for the King's Uſe.

In the Afternoon of this Day the Lords read a long Letter from *Amſterdam*, with an exact Deſcription of all the Arms bought in *Holland*, and then embarking from thence for the *North* of *England*. That on board theſe Veſſels were, alſo, Prince *Rupert*, Prince *Maurice*, Lord *Denbigh*, Lord *Digby*, *O'Neal* that Traitor, Sir *Lewis Dives*, Capt. *Hyde*, and

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and Col. *Wilſon*, ſent for out of *Germany*, with many other Gentlemen and Commanders.

Next was read a *Petition* from the Town of *Nottingham*, deſiring the Parliament's Protection from a Surprize of that Place and Caſtle, of great Strength, and ſituated to command the River *Trent*, the great *North* Road, and the adjacent Country.

Proceedings againſt his Majeſty's Commiſſion of Array.

The King's Commiſſion of *Array* having been proclaimed and publiſhed in *London*, it was *ordered*, That the Lord Mayor, the Sheriffs, the Mace-Bearer, and all other Officers that had any Hand in this Proclamation, ſhould attend the Houſe the next Morning: And

A *Declaration* of Parliament having been framed, by the Commons, againſt the King's Commiſſion of *Array*, it was, this Day, agreed to by the Lords, and *ordered* to be forthwith printed and publiſhed. *(b)*

An *Ordinance* was made to conſtitute *Robert* Earl of *Warwick* Commander in Chief over all the Fleet, now at Sea, with a full Commiſſion to remove or diſplace all Officers whatſoever, *&c.* inſtead of the Earl of *Northumberland*; who is therein ſtyled a Perſon of known Integrity and Honour, whom the Kingdom might ſafely confide in, but lately diſcharged, by the King, from being Lord High Admiral of *England*.

A great many Letters of Intelligence, from different Parts of the Kingdom, beſides what we have mentioned, were this Day read; which, altogether, without the *Declaration* againſt the *Array*, makes no leſs than forty-four Pages in the *Lords Journals*.

July 2. The Lords were informed, That the Lieutenant of the *Tower* had a Warrant from the King to releaſe Mr. *Benyon* from his Impriſonment, and that the King had pardoned him his Offences for which he was committed; which were the promoting a *Petition* from the Citizens of *London* againſt the

(*b*) This *Declaration* againſt the Commiſſion of *Array*, &c. and the King's *Anſwer*, which, on account of their Prolixity, we omit, may be found in *Ruſhworth* Vol. IV. p. 661. *et ſeq.* and in *Huſband* from p. 386 to 441.

the *Ordinance* for the *Militia (c)*. The Lieutenant was examined about it, who produced his Warrant, and ſaid, that the ſaid *Benyon* was now at his own Houſe with his Keeper. Hereupon the Uſher of the Black Rod was ordered to attach the Body of *George Benyon*, and bring him preſently before the Houſe. But we hear no more of him. An. 18. Car. I. 1642. July.

The Lord Mayor's Attendance on the Houſe was deferred to the 5th Inſtant.

A Conference was this Day held between the two Houſes, concerning a Book, lately publiſhed by the King, relating to *Levies*, in *Anſwer* to one called, *A new* Declaration *of the Lords and Commons, of the 18th of* June *laſt*, &c. in which the Lords deſired the Commons to conſider into what Condition all thoſe Perſons are brought, who have obeyed the Orders and Commands of Parliament, and this *Declaration* would give them a clear View of it. They deſired the Houſe of Commons would ſo take it to Heart, that there might be a ſpeedy Courſe taken, by both Houſes, to provide for the Safety of the Sitting of Parliament, the Lives of the Members thereof, and of all thoſe who have obeyed their Commands. A Conference concerning the King's Declaration about Levies.

July 4. At a Conference of both Houſes, a *Letter* ſent from the King to the Earl of *Warwick* was read, importing, 'That whereas his Majeſty had diſcharged the Earl of *Northumberland* from being Lord High Admiral of his Fleet, this was to charge the ſaid Earl, on his Allegiance, and as he tendered the Peace of the Kingdom, to give over and relinquiſh the Command he had, or pretended to have, in any of the King's Ships; ſince it was notoriouſly known, that, by the Laws of the Land, it was no leſs than High Treaſon, for any Perſon whatſoever, to detain any of his Majeſty's Ships contrary to his Commands. Letters, Orders, &c. relating to the Command of the Fleet.

Then a Liſt was ſhewn of ſuch Officers, as, at a Council of War, held on board the *James*, agreed to

(c) The Proceedings againſt this Gentleman are recited, at large, in our Tenth Volume, p. 394, *et ſeq.*

An. 18. Car. I. 1642. July. to obey the *Ordinance* of Parliament, and the Earl of *Warwick*'s Commands, to the Number of ten Captains and ſix Maſters: But Sir *John Mennes*, Capt. *Robert Slingsby*, Capt. *John Burley*, Captain *R. Fogg*, and Capt. *Baldwin Wake*, ſent Letters each of them to the Earl, which Letters were read in the Houſe, declaring, 'That they had all received Injunctions from the King, and therefore they could not obey his Commands.' On which they were ordered, by the Houſe, to be ſent for as Delinquents; and that, if they refuſed to come, the Earl was deſired to cauſe them to be apprehended, and to place Perſons of Truſt in their Room. Alſo, a *Declaration* of Thanks was ordered to be ſent to the Earl of *Warwick*, and to deſire him to communicate the ſame to his Captains, and they to the Mariners under them. At the End of this *Declaration* of Thanks the Parliament abſolutely promiſed, 'To defend and protect them, by their Power and Authority; notwithſtanding the King's declaring it to be Treaſon, by his *Letter* to the Earl of *Warwick*; which, they ſaid, was altogether againſt Law.'

Perſons puniſhed for aſperſing the Parliament. Many were the People that were, at this Time, ſummoned as Delinquents by each Houſe of Parliament, for the leaſt diſreſpectful Word againſt any particular Member, or the Proceedings of Parliament, and puniſhed by Fine and Impriſonment. Two were tried this Day at the Lords Bar; one of them, Mr. *Windebank*, for ſaying, 'That Mr. *Pymme* had taken a Bribe of 30 *l.* ſitting in the Chair in *Eaſter* Term: That he had as many Sugar Loaves given for Bribes, as he had ſold for 6 or 700 *l.* That before he was a Parliament-Man he was worth little; but he had now cozen'd the King of as much Money, as he had bought a good Eſtate, and given 10,000 *l.* of the King's Money, to the Marriage of his Daughter.'

July 5. At a Conference, this Day, a *Letter* was produced and read by the Commons: It came from Sir

Sir *John Hotham*, and others of the Parliament's Committee at *Hull*, ſignifying, 'That a Ship, called *Providence*, came from *Holland*, laden with Ammunition, great Guns, *&c.* into the *Humber*; and, to avoid being taken, had run herſelf on Ground near a Village called *Paul:* That he had done his beſt to take her by Land, but was prevented by the Train'd Bands of *Holderneſs*, and a Report of the King's coming from *York*, in Perſon, to protect her.' *(d)* An. 18. Car. I. 1642. July.

Both Houſes agreed in publiſhing an *Order*, 'That whereas ſeveral *Proclamations*, *Declarations*, and *Papers* in Forms of *Proclamations*, had iſſued out in his Majeſty's Name, commanding all Parſons, Vicars, Curates, Sheriffs, Mayors, Bailiffs, and other Officers, to publiſh and proclaim the ſame, contrary to Law and divers *Orders*, *Ordinances*, and *Declarations* of Parliament; and much to the Scandal and Derogation of it, *&c.* This was to inhibit all ſuch Parſons, and other Officers, from doing the ſame; and thoſe that refuſed in that Manner, ſhould be protected by the Power and Authority of both Houſes of Parliament.' Orders againſt publiſhing the King's Declarations, &c.

Conſonant to this *Order*, and to make one great Example for the reſt, the ſame Day the Commons ſent up Serjeant *Wylde*, with an Impeachment againſt Sir *Richard Gurney*, Knt. and Bart. Lord Mayor of the City of *London*, importing, 'That the ſaid Sir *Richard*, on or about the laſt Day of *June*, 1642, being then Lord Mayor of *London*, in ſeveral Places of the ſaid City, unlawfully and maliciouſly, cauſed a *Proclamation* to be made for the putting in Execution the Commiſſion of *Array*; tending to the raiſing of Forces againſt the Parliament, and to the Subverſion of the Laws and Peace of this Kingdom: For the which the Houſe of Commons did impeach the ſaid Sir *Richard Gurney*, in their Names, and of all the Commons of *England*, of high Crimes and Miſdemeanors; and they deſire The Lord Mayor impeached for proclaiming them.

(d) Lord *Clarendon* gives a very particular Account of this Ship's being cloſely chaſed by three Men of War; and informs us, That there was on board of her about 200 Barrels of Powder, and 2 or 3000 Arms, with ſeven or eight Field Pieces. *Vol.* II. *p.* 673.

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deſire that he may be called to a ſpeedy Anſwer, in the Preſence of the Commons.'

The Lord Mayor, being at the Bar, was aſked for his Anſwer, who confeſſed, 'That he cauſed the ſaid *Proclamation* to be publiſhed.' And being again aſked, Whether he would juſtify and ſtand by his Anſwer, or not? He ſaid, 'That he deſired Counſel to adviſe him in that, and ſome Time to anſwer.' Hereupon Counſel was allowed him; and that he ſhould put in his Anſwer, perſonally, on the eighth Inſtant.

A *Letter* from the Earl of *Warwick* to Mr. *Pymme* was read, with an Account of his reducing the five refractory Captains to Obedience; which, tho' printed in *Ruſhworth*, yet, as it evidently ſhews the Temper and Diſpoſition of the Fleet at this Time, we ſhall give in its own Words:

Mr. *Pymme*,

The Earl of Warwick's Letter concerning the Fleet.

BEfore theſe ſhall come to your Hand, I make no Doubt but Mr. Nicholls, *of the Houſe of Commons, hath made both Houſes a Relation of what hath paſſed here, ſince I received his Majeſty's Letters for the Diſcharging me of the Command of the Fleet wherewith I was intruſted: How I called a Council of War, and acquainted them with his Majeſty's* Letters, *and likewiſe with the* Ordinance *of Parliament, ſent from the Houſes for me to continue my Charge.*

I confeſs it was a great Strait that I was in, between two Commands that had ſo much Power over me: But when I conſider the great Care which I have ever obſerved in the Parliaments of this Kingdom, for the Good and Safety of the King and Kingdom, and every Man's Particular in them; and that they are that Great Council, by whoſe Authority the Kings of England *have ever ſpoken to their Subjects; and likewiſe that the Truſt of this Fleet, for the Defence of his Majeſty and the Kingdoms, was committed to me by them; and knowing the Integrity of my own Heart to his Majeſty and Parliament, I reſolved not to deſert that Charge committed to my Truſt, wherein God (bleſſed*

(bleſſed be his Name for it) hath made me hitherto ſo ſucceſsful; but to continue untill I ſhall be revoked by that Authority that hath entruſted me with it; which having declared to my Captains at the Council of War, all of them unanimouſly and chearfully took the ſame Reſolution, excepting the Rear-Admiral Sir John Mennes, *Capt.* Fogge, *Capt.* Burley, *Capt.* Slingſby, *and Capt.* Wake; *all which five refuſed to come upon my Summons, as having no Authority over them; and got together, round, that Night, to make their Defence againſt me; only Capt.* Burley *came in and ſubmitted to me: Hereupon, in the Morning, I weighed my Anchors and cauſed the reſt of the Ships ſo to do, and came to an Anchor round about them, and beſieged them; and, when I had made all Things ready, I ſummoned them: Sir* John Mennes *and Capt.* Fogge *came in to me, but Capt.* Slingſby *and Capt.* Wake *ſtood out; whereupon I let fly a Gun over them, and ſent them Word I had turned up the Glaſs upon them; if in that Space they came not in, they muſt look for me aboard them. I ſent to them by my Boat, and moſt of the Boats in the Fleet; their Anſwer was ſo peremptory, that my Maſters and Sailors grew ſo impatient at them, that (altho' they had no Arms in their Boats at all, yet God gave them ſuch Courage and Reſolution, as, in a Moment) they entered them, took hold of their Shrouds, and ſeized upon thoſe Captains, altho' armed with their Piſtols and Swords; ſtruck their Yards and Topmaſts, and brought them both to me. The like Courage and Reſolution was never ſeen amongſt unarmed Men, ſo as all was ended without Effuſion of Blood; which I muſt attribute to the great God of Heaven and Earth only; who, in the Moment that I was ready to give Fire on them, put ſuch Courage into our Men to act, and ſo ſaved much Blood.*

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I hope the Parliament will think of ſome Courſe for all our Indemnities, and eſpecially the Officers of the Navy, and principally for the Surveyor of the Navy, my Vice-Admiral, a very able and good Man: For myſelf, I doubt not but they that put me in this Employment will preſerve me for ſerving them faithfully.

I

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I pray you, Sir, be a Means to Sir Robert Pye *and Mr.* Green, *that ſome Money may be ſent us, (for it hath been often promiſed, but we hear not of it) the Weather continuing ſtormy ſo long together, that we ſpend our Maſts and Topmaſts, or ſome Detriment or other falls upon us daily; ſo that we are in great Extremity for want of Money.*

Thus, having nothing elſe to trouble you for the preſent, only that you will be pleaſed to acquaint your Houſe of Commons with our Proceedings here, I bid you farewel; and reſt

From on board his Majeſty's Ship the *James*, in the *Downs*, *July* 4, 1642.

Your aſſured Friend,
to ſerve you,
WARWICK.

A Letter of Thanks was ordered to the Earl, and the Officers and Seamen of his Fleet.

Advice of the King's intending to beſiege Hull.

July 6. Mr. *Marten* reported, from the Committee appointed to conſider of the Defence of the Kingdom, That Col. *Wilmot*, Sir *Hugh Pollard*, and Sir *John Berkley*, were landed with fourteen Pieces of Braſs Ordnance, and are making Fortifications near *Hull*: That the Lord *Willoughby* (*e*) and Sir *Thomas Glemham* are come with 200 Horſe upon the *Humber-ſide*, in *Lincolnſhire*: That the King came to *Beverley* on the 4th Inſtant, in the Morning, intending to ſit down before *Hull* the next Day: That his Majeſty had, by *Proclamation*, forbid any Proviſions to be ſent into that Town, on Pain of Death; and had cut off the freſh-water River that comes to *Hull*, and diverted the Stream another Way: But that (God be thank'd) Sir *John Hotham* had drown'd the Country two Miles round the Town, ſo that no near Approach could be made.

It

(*e*) Meaning Lord *Willoughby* of *Eresby*, eldeſt Son of the Earl of *Lindſey*, who was one of the Peers then with the King: The Lord *Willoughby* of *Parham* being, at that Time, the Parliament's Lord-Lieutenant of *Lincolnſhire*.

It would be endleſs to take Notice of all the *Orders* of both Houſes relating to their Raiſing, Training, and Forming their *Militia*, in different Counties, with the ſeveral *Inſtructions* given to the Lord Lieutenants, &c. about them; ſince both Houſes conſtantly ſat, Morning and Afternoon, for that Purpoſe: However there was no regular Army formed, nor any Orders given for drawing together any Number of Men for that Purpoſe, till this Day, when it was

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Reſolved, by both Houſes, 'That 10,000 Foot be raiſed, 5000 out of the Liberty of *London*, and 5000 out of the Counties adjacent: To form them into Regiments and Companies, and place Officers over them: To keep the Officers in continual Pay, and pay the common Soldiers every Day that they were trained.' Drums were likewiſe *ordered* to beat up for Soldiers, in and about the City, with all Expedition.

10,000 Foot voted to be raiſed.

The Earls of *Leiceſter* and *Portland* and the Lord *Spencer* only, diſſented to this *Vote*.

Reſolved, 'That all ſuch Horſes as are brought in, by the Lords and Commons and others, on the *Propoſitions*, ſhall be muſtered in *Tothil-Fields*, on *Saturday* next: And that 500 Men ſhall be ſent from hence, by Sea, to *Hull*.' The ſame Lords diſſenting to this *Vote*.

Some Ships of War, and 2000 Men to be ſent to Hull.

This laſt *Order* was made at the Requeſt of Sir *John Hotham*; who, in his laſt Letter, beforementioned, ſaid, *That he apprehended the great Ordnance, which was landed from the Ship* Providence, *was deſigned for the Siege of* Hull; and therefore deſired ſuch a Supply to maintain it. Some Ships of War were alſo ordered down to the *Humber*; and, in the Afternoon of this Day, 1500 Men more, were *voted* for the Service of *Hull*, to be ſent by Sea, as ſoon as ever they could be got ready. The ſame three Lords ſtill diſſenting to this *Vote*.

But, at the ſame Time, it was alſo *ordered*, 'That a Committee of Lords ſhould be appointed to draw up ſome *Propoſitions*, to be preſented to the King,

And a Committee appointed to draw up Propoſitions for Peace.

An. 13. Car. I. 1642. July. King, concerning the laying aſide of all Arms and Levies, and diſcharging of all Garriſons on both Sides; and for compoſing all Differences between King and Parliament.' The Lords appointed for this Committee were

Earl of *Leiceſter*,	Lord *Grey de Werk*,
Earl of *Bedford*,	Lord *Hunſden*,
Lord *Wharton*,	Lord *North*,
Lord *Spencer*,	Lord *Fielding*.
Lord *Roberts*,	

July 7. Notwithſtanding this Shew of Peace, neither Houſe loſt any Time in preparing for War, this Day's *Journal* being full of their *Orders* for it.

The Lord *Cranbourne*, Member for *Hertford*, was appointed Lord Lieutenant of *Hertfordſhire* and *Dorſetſhire* inſtead of his Father, who had left the Parliament, and was with the King at *York*.

A Declaration of the County of Hereford voted to be a ſcandalous Libel.

July 8. Complaint was made to the Houſe of Commons of a printed Pamphlet, intitled, *A* Declaration *or* Reſolution *of the County of* Hereford; which is ſtyled, in the *Journals*, one of the fouleſt and moſt ſcandalous Libels, that ever was raiſed or publiſhed againſt the Parliament. The Houſe of Lords had this under their Conſideration at the ſame Time, and, at a Conference held between both Houſes on this Occaſion, concurred in the ſame Opinion of it: Whereupon one Mr. *Dutton*, a Clergyman, for only commending it in a Stationer's Shop, was committed to the *Gatehouſe*; two Perſons concerned in diſtributing it, to *Newgate*; and the Printer ordered to be ſent for as a Delinquent. Both Houſes alſo concurred in deſiring the Knights of the Shire for *Hereford* to ſend down to know who in that County will avow the ſame: And, if any do, that they ſhall be proſecuted to the utmoſt, for ſetting forth ſuch an infamous Libel.

After ſo great a Buſtle about this *Hereſordſhire Declaration*, the Reader, no doubt, would be glad to ſee a Copy of it; which is the more valuable,

in

in regard no Notice is taken of this Affair by any of the cotemporary Writers. *(f)*

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A DECLARATION, *or* RESOLUTION *of the County of* Hereford.

'WHereas the Kingdom, for many Years 'paſt, hath groaned under Taxes of '*Loans*, *Ship-Money*, and the like diſmal Effects 'of an Arbitrary Government, and a high ſtretch'd 'Prerogative; for the Cure of which Diſtempers 'a Parliament was held to be the only good old Way 'of Phyſic, to cleanſe the Body Politic from oppreſ-'ſing Crudities, which was heartily deſir'd; but not, 'by over ſtrong Purgations, to weaken it in the 'principal Part; changing it, to receive a Diſpoſition 'to the like Diſtemper, or a Relapſe into the ſame, 'or a worſe Diſeaſe; which, inſtead of reſtoring 'it to its primitive Vigour and Health, muſt needs 'drive it to a fatal Period. Such is our Miſery, ſuch 'the juſt Judgment of God upon our Sins.

'This wholeſome Phyſic hath not wrought in 'us that bleſſed Effect, as was either believed by 'ſome, or hoped for by all Men; but, as if God 'had anſwered our Importunity for a Parliament, 'as he did the old *Iſraelites* for a King in his An-'ger, we drive on, with much more Haſte than 'good Speed, to the other Extreme, which por-'tends no leſs Symptoms of Ruin and Deſtruction 'than the former: So that, having maturely con-'ſidered what hath proved deſtructive to this or 'other Parliaments, we may the more eaſily avoid 'thoſe Rocks upon which others have ſplit them-'ſelves, *viz*,

1. 'The Venting of particular Ends of Avarice 'and Ambition in the Public Cauſe.

2. 'Private Combinations and Chamber-Con-'venticles, to reſolve before-hand what ſhall be 'done in the Houſe.

3. 'Hindring the Freedom of Speech, by Impri-'ſonment of their Perſons.

(f) From the Collections of the late *Thomas Sclater Bacon*, Eſq; Member of Parliament for *Cambridge*.

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4. 'Denying Information by the humble Way 'of *Petitions* from the County, as that moſt ex- 'cellent orthodox *Petition* of our Brethren of 'Kent; and of rejecting Informations of Letters 'to our Knights and Burgeſſes.

5. 'The ready Swallowing of Informations and 'jealous Rumours againſt his Majeſty; the Styling 'them the Malignant Party and Enemies to the 'State, which were, truly and conſcionably, his 'only Friends.

6. 'The private, if not public, mutinous Rab- 'ble; which ill Spirit was ready, at all Times, to be 'raiſed by a Whiſper from any of thoſe Worthy 'Members, emphatically ſo called, if not exclu- 'ſively; as if all Juſtice, Reformation, and Go- 'vernment, were only to be expected from them.

7. 'The new unheard-of State-Law and Logic, 'to ſtyle and believe That a Parliament which is 'divided in itſelf, and ſevered from the King the 'Head thereof.

'If they may be remedied, as we hope they are not 'paſt Cure, we ſhall rather deſire to change ſome 'of our Phyſicians than Phyſic; there being no 'better Way, nor more neceſſary, to preſerve the 'Health of the Common-wealth, than a well tem- 'per'd Parliament: Wherefore we, as faithful Sub- 'jects to his Majeſty, and as free-born *Engliſhmen*, 'do join in an unanimous Reſolution to maintain,

1. '*The Proteſtant Religion.*
2. '*The King's juſt Power.*
3. '*The Laws of the Land.*
4. '*The Liberty of the Subject.*

'For the *firſt*, *The Proteſtant Religion*; we can- 'not but, with Grief of Heart, remember how it 'hath been aſſaulted in the Outworks and Skirts of 'it, the Liturgy and decent Ceremonies, eſtabliſhed 'by Law; yea, in the very Body of it, the thirty- 'nine Articles. In what a Danger this Church of '*England* hath been to be overcome with *Brow- 'niſm* and *Anabaptiſm*, let all the World judge.

'For the *ſecond*, *The juſt Power of the King*; 'God knows he hath been ſo far unable to defend

'that

'that from Violence, as it was God's great Good- An. 18. Car. I. 1642.
'neſs, rather than his own Power, which ſecured, July.
'or rather preſerved, his Perſon from Violence.
'What their Aim was, who, to pleaſe the vulgar
'Rabble, would uphold and not puniſh them for
'their Inſolencies, as we fear and imagine for the
'preſent; ſo we cannot but, with Horror and A-
'mazement, doubt the Conſequence.

'Nor can we conceal our Joy of Heart, or Thanks
'to his Majeſty's good Subjects of the County of
'*York*, for endeavouring to ſecure his Perſon with
'a Guard; being of much more Value than many
'Thouſand of us, and putting him in a Poſture of
'Defence; which ſome have ignorantly, or mali-
'ciouſly, interpreted, by ſuggeſting it an Intention
'of War againſt his Parliament; whereas it is
'plain enough his Majeſty's Deſires are only to ſe-
'cure himſelf and Servants from ſuch prodigious
'Tumults and Diſorders as have indangered his ſa-
'cred Perſon; nor can we blame him, conſidering
'Sir *John Hotham*'s Act at *Hull*, and Sir *Henry*
'*Ludlow*'s Speech in Parliament. *(g)*

'For the two laſt, *The Laws of the Land*, and
'*The Liberty of the Subject*, which muſt not be ſe-
'parated; how have they been violated by ſome of
'thoſe who were choſen to be Conſervators of
'them, by Impriſoment of Men's Perſons, contra-
'ry to the *Petition of Right*; afflicting of the Cler-
'gy, contrary to *Magna Charta*; ſhuffling the Con-
'vocation into a Synod, or an Aſſembly or a Con-
'venticle, without the Choice, Conſent, or Elec-
'tion of the Clergy; as if they were neither the
'King's Subjects, nor God's Servants?

'As we conceive ourſelves obliged by the Law of
'God, the Law of the Land, by the Dictates of
'Nature and Reaſon, to maintain all theſe; ſo, by
'God's Grace aſſiſting us, we hope we ſhall not be
'terrified or compelled to yield an active Obedi-
'ence to any diſ-joined Part of a Parliament, with-

(g) See this Affair of Sir *Henry Ludlow*'s in our Tenth Volume, P. 503.

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'out the Conſent of the Whole, which we heartily 'deſire may be united; or to any uncertain *Debates*, '*Votes*, or *Ordinances*, that are not digeſted or ſet-'tled into Laws; nay, which ſeems to contradict 'former Laws, and yet are tender'd to us with ſo 'much Earneſtneſs, as ſome dare hardly deny them 'with Safety, or obey with Conſcience.

'Nor ſhall we ever yield ourſelves ſuch Slaves, 'or ſo betray the Liberty purchaſed by our Fore-'fathers Blood, and bequeathed unto us, as to ſuf-'fer ourſelves to be ſwayed by any Arbitrary Go-'vernment whatſoever; or ſtrive, with too much 'Contention of Spirit, to caſt off the Yoak of one 'Tyranny to endure many worſe.

'And ſeeing his Majeſty is graciouſly pleaſed to 'maintain the true *Proteſtant Religion*; his own '*juſt Power*; the *Laws of the Land*; the *Liberty of* '*the Subjects*; and that theſe Waters of Reforma-'tion, having been long ſtirred, we want only the 'Favour of his princely Majeſty to let us in and 'heal us: So we do reciprocally declare, That we 'conceive ourſelves bound to maintain him, in all 'the Premiſes, with our Lives and Fortunes.

The ſame Day the Houſe of Commons, at a Conference, delivered to the Lords an Impeachment againſt *Henry Haſtings*, Eſq; ſecond Son to the Earl of *Huntingdon*, Sir *Richard Halford*, Bart. Sir *John Bale*, Knt. and *John Pate*, Eſq; for High Crimes and Miſdemeanors; in which Impeachment the Commons deſired the Lords to uſe all Expedition. A Copy of which Articles were as follows:

Articles of Impeachment againſt Mr. Haſtings and others, for executing the King's Commiſſion of Array.

'WHereas, by Order and Command of the 'Lords and Commons in Parliament, for 'the Safety and Defence of the County of *Leiceſter*, 'the Magazine of the ſaid County was delivered 'into the Hands of *Henry* Earl of *Stamford*; who, 'in *June* 1642, removed a great Part thereof to 'his Dwelling-Houſe called *Broadgate*, in the ſaid 'County, for the more Safety and Security there-'of:

'And

'And whereas, in the ſaid Month of *June*, ſe- An. 18. Car. I.
'veral *Warrants* iſſued out, by Order of both 1642.
'Houſes of Parliament; the one directed to the July.
'Gentleman Uſher of the Houſe of Peers, his De-
'puty or Deputies; the other, to the Serjeant at
'Arms attending on this Houſe, his Deputy or
'Deputies, for the apprehending of the ſaid *Henry*
'*Haſtings*, Sir *Richard Halford*, Sir *John Bale*, and
'*John Pate*, for High Crimes and Miſdemeanors
'by them committed againſt the ſaid Houſes of
'Parliament, to anſwer the ſame before the ſaid
'Houſes:

'He the ſaid *Henry Haſtings*, Sir *Richard Hal-*
'*ford*, Sir *John Bale*, and *John Pate*, well know-
'ing the Premiſes; and the ſaid Sir *Richard Hal-*
'*ford*, Sir *John Bale*, and *John Pate*, being then,
'and yet, Juſtices of the Peace of the ſaid County,
'in or about the twenty-ſecond Day of the ſaid
'Month of *June*, wickedly and maliciouſly, with-
'out Warrant of Law, did raiſe and draw out of the
'ſeveral Counties of *Derby*, *Lincoln*, and *Leiceſter*,
'Forces of Horſe and Foot to the Number of 300
'Perſons, or thereabouts, ſome of them being Col-
'liers, and other mean and deſperate Perſons, and
'many of them *Papiſts*, and them unlawfully aſ-
'ſembled at *Loughborough* in the ſaid County of *Lei-*
'*ceſter*; where the ſaid *Henry Haſtings*, the Day
'aforeſaid, made Proclamation, *That if any Per-*
'*ſons, affected to that Service, wanted Arms, and*
'*would repair to the Town, they ſhould be furniſhed*
'*therewith.* And they the ſaid *Henry Haſtings*,
'Sir *Richard Halford*, Sir *John Bale*, and *John*
'*Pate*, together with the ſaid other Perſons ſo aſ-
'ſembled, being armed with Swords and Pikes;
'and with Piſtols, Muſkets, and Carbines, ready
'charged with Powder and Bullets, and other Ha-
'biliments of War, marched along in a warlike
'Manner; with Drums beating, Colours flying,
'and their Matches lighted, to the great Terror
'and Affrightment of his Majeſty's Subjects, divers
'Miles within the ſaid County of *Leiceſter*, to the
'Town of *Leiceſter*, and ſo thro' the ſaid Town,

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'with great Noiſe and Shouting, to a certain Place 'near the ſaid Town called *Horſe-Fair Leaſe*; to 'the Intent to keep themſelves from being arreſted 'by the ſaid Officers of both Houſes of Parliament; 'and in caſe they ſhould be ſo arreſted, then to 'reſcue themſelves by Force: And to the Intent 'likewiſe to take away the ſaid Magazine by Force 'and Arms, and to kill and deſtroy the ſaid Earl 'of *Stamford*, he the ſaid *Henry Haſtings*, and 'ſome other of his ſaid Accomplices, giving out '*That they would fetch away the ſaid Magazine with 'a Vengeance; and that they would have the ſaid 'Earl's Life before they left; and would fire his 'Houſe and have his Heart's Blood out*, with divers 'other ſuch-like deſperate Speeches.

'And the ſaid *Henry Haſtings*, Sir *Richard Hal-'ford*, Sir *John Bale*, and *John Pate*, with the 'reſt of their ſaid Confederates, being ſo aſſembled 'at the ſaid *Horſe-Fair Leaſe*, *John Chambers* and '*James Stamford*, being authorized thereunto by a 'Deputation under the Hand of the Officers afore-'ſaid, together with *Archdale Palmer*, Eſq; then 'High Sheriff of the ſaid County of *Leiceſter*, and 'divers other Perſons in their Aid and Aſſiſtance, 'repaired to the ſaid Place to execute the ſaid *War-'rants* from both Houſes of Parliament; and the 'ſaid *Henry Haſtings* well knowing thereof, did 'then tell the ſaid *Chambers*, *That he knew he had* 'Warrants *from the Parliament as well for others 'as for himſelf*; whereupon the ſaid *Chambers* pro-'duced the ſaid *Warrants*, and read them openly in 'the Hearing of the ſaid *Henry Haſtings*, Sir *Rich-'ard Halford*, Sir *John Bale*, and *John Pate*, to 'yield Obedience to the ſaid *Warrants*; which they 'refuſed to do; but, inſtead thereof, they, and 'other their ſaid Adherents, did violently aſſault 'the ſaid High Sheriff, *Chambers*, and *Stamford*, 'and rode upon them with their Horſes; and one 'of the ſaid Confederates, named Mr. *Walter Ha-'ſtings*, with his Piſtol charged, gave Fire upon the 'ſaid *Chambers*; and ſome others of them drew out 'their Piſtols, and preſented their Muſkets upon the

'the ſaid High Sheriff and *Chambers*, uſing other Force and Violence upon them, to the great Danger of their Lives: And the ſaid *Henry Haſtings*, Sir *Richard Halford*, Sir *John Bale*, and *John Pate*, by Force and Arms, and in a warlike Manner, at the Time and Place aforeſaid, reſcued themſelves from the ſaid Officers and High Sheriff, in Contempt of Juſtice, and to the high Affront and Scorn of the Parliament; and afterwards marched back again, in like warlike Manner, into the ſaid Town of *Leiceſter*; all which Doings of the ſaid *Henry Haſtings*, Sir *Richard Halford*, Sir *John Bale*, and *John Pate*, were, and are, contrary to the Laws of this Realm, the Rights and Privileges of Parliament, tending to Sedition, and to the Danger and Effuſion of much Blood:

'Wherefore the ſaid Commons do, in the Name of themſelves and of all the Commons of *England*, impeach the ſaid *Henry Haſtings*, Sir *Richard Halford*, Sir *John Bale*, and *John Pate*, of the ſaid ſeveral High Crimes and Miſdemeanors.

'And the ſaid Commons, by Proteſtation, ſaving to themſelves now, and at all Times hereafter, the Liberty of exhibiting of any other Accuſation or Impeachment againſt the ſaid *Henry Haſtings*, Sir *Richard Halford*, Sir *John Bale*, and *John Pate*, or any of them; and of replying to the Anſwers which they, or any of them, ſhall make; or of offering any Proofs of the Premiſes, or any of them; or of any other Accuſation or Impeachment againſt them, or any of them, as the Caſe, according to the Courſe of Juſtice, ſhall require; do pray that the ſaid *Henry Haſtings*, Sir *Richard Halford*, Sir *John Bale*, and *John Pate*, and every of them, may be forthwith put to anſwer the Premiſes in Preſence of the Commons; and that ſuch Proceedings, Examinations, Trials, and Judgments may be upon them, and every of them, had and uſed, as ſhall be agreeable to Law and Juſtice.'

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Ordered, That the aforeſaid Gentlemen ſhould appear before the Houſe, at a Time prefixed, to hear

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hear the Impeachment read, and to put in their Anſwers to it.

This being the Day appointed for the Lord Mayor to make Anſwer to his Charge, he was called to the Bar, as a Delinquent, where he delivered in the following Anſwer:

The HUMBLE ANSWER *of Sir* RICHARD GURNEY, *Knt.* &c.

The Lord Mayor's Anſwer to his Impeachment.

'THIS Defendant, ſaving to himſelf all Benefit of Exceptions to the Impeachment againſt him exhibited by the Honourable 'Houſe of Commons, ſaith, That he, this Defendant, is not guilty of all or any of the 'Crimes and Miſdemeanors, in and by the ſaid Impeachment againſt him charged, in ſuch Manner 'and Form as the ſame are by the ſaid Impeachment charged.

R. GURNEY.

Commiſſions granted for raiſing Horſe for the King's Service.

The Lords appointed *Monday* the 11th to hear the Lord Mayor's Cauſe. They alſo received Intelligence, by a private Letter from *York*, That the King had granted out ſeveral Commiſſions; as, to the Earl of *Caernarvon*, to raiſe 500 Horſe Volunteers; to the Lord Viſcount *Grandiſon*, to raiſe 500 Horſe; and to Sir *Philip Tyrwhit*, to raiſe 80 Horſe.

July 9. A Letter from the Archbiſhop of *York* was read *in hæc Verba:*

My Moſt Noble Lords,

A Letter from Abp Williams.

MY Duty, in all Humility and Lowlineſs, remembered unto your Lordſhips, I have received your Noble Lordſhips Orders of the twenty-ſecond of June, *but this Day,* July *the third, being the Lord's Day; and it is impoſſible I ſhould, literally, comply with the Matter required in the ſame. I came from* Huntingdonſhire *to* York, *from which I was not debarred by any* Order *from the Honourable Houſe, by his Majeſty's Command; and, by the ſame Command, I*

am

am ſtrictly required not to depart this County of York *without his Majeſty's ſpecial Leave, upon Pain of ſeizing of my Temporalities. Your Lordſhips Meſſenger can inform you he found me not at* York, *but here, at my own Country Houſe, preaching to my People. I will wait upon his Majeſty and humbly deſire his Favour, that I may obey your Honourable* Order *in Act, as I already do* in Preparatione Animi. *In the mean Seaſon, I do moſt earneſtly intreat your Lordſhips Favour and Mercy towards me, if I treſpaſs a little in the preſcribed Time; and your Lordſhips ſhall never hear, from any true Relation, that, by any Miſcarriage of mine, I ſhall otherwiſe comport myſelf than as becometh.* An. 18. Car. I. 1642. July.

Your Lordſhip's moſt humble
and obedient Servant,
Orator, and Petitioner,
JO. EBORAC.

Cawood, July 3, 1642.

It does not appear that any Notice was taken of this Letter; ſo we conclude that the Archbiſhop's humble Requeſt was complied with. But it ſhews to what a low Ebb the Prelacy was then reduced, when ſo lofty a Man as *Williams*, who had been Lord-Keeper many Years, could write in ſo ſubmiſſive a Manner.

The Lords next proceeded in reading ſeveral Letters, *&c.* from their Agents in divers Counties, and from the Earl of *Warwick*, concerning the State of the Fleet: That Houſe alſo agreed to ſeveral *Propoſitions*, from the Commons, to be preſented to the Citizens in Common Council, for raiſing 10,000 Volunteers with all Speed, *&c.* and regulating the Proportion of Pay for Horſe and Foot in their Service. The firſt of theſe *Propoſitions*, for raiſing 10,000 Volunteers, was put to the Queſtion in the Commons, and carried affirmatively by a Majority of 125 againſt 45. Mr. *Holles* and Sir *John Evelyn* Tellers for the *Yeas*, Sir *John Strangewayes* and Mr. *Selden* for the *Noes*.

The Parliament reſolve to raiſe 10,000 Volunteers in London.

July

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July 11. At a Conference this Day the Commons exhibited, to the Lords, a further Impeachment againſt the Lord Mayor; which, being afterwards read to him at the Bar, he deſired more Time might be given him to anſwer by Counſel. And being aſk'd, Why he refuſed, at the laſt Common Council, to put the Queſtion for ſtowing the Magazine that came from *Hull*, in the City; according to *Order* of both Houſes of Parliament, but proteſted againſt it? The Lord Mayor anſwered, He thought not fit to lay ſo much Powder in the City, being dangerous; there being much there already, and more they cannot find Room for. Afterwards he withdrew, and then it was *reſolved*, 'That the Lord Mayor of *London*, for his Contempt to this Houſe, ſhall be committed to the *Tower*; and that the Lieutenant there ſhall take Care to keep him in ſafe Cuſtody, as he will anſwer it at his Peril.' A further Day was ordered for his Trial, and the ſame Counſel to attend him in the *Tower* as before.

A further Impeachment againſt the Lord Mayor.

A *Declaration* of Parliament was this Day agreed on by both Houſes, to be ſent down into the *North*; which, as it contains the Parliamentary Hiſtory, in Oppoſition to the Royal, of theſe Times, cannot be omitted.

The Parliament's Narrative of the Proceedings of the King's evil Counſellors.

'IT cannot be unknown to the World, how powerful and active the wicked Counſellors about his Majeſty have been, both before and ſince this Parliament, in ſeeking to deſtroy and extinguiſh the true *Proteſtant* Religion, Liberty, and Laws of the Kingdom; and that, after many traiterous Endeavours againſt the Parliament, by God's Providence diſcovered and fruſtrated, they drew his Majeſty into the *Northern* Parts; and, in his Name, did publiſh divers falſe Scandals and ignominious Reproaches againſt the Lords and Commons; making his Majeſty's Court a Sanctuary for all kind of Delinquents againſt the Juſtice and Privilege of Parliament; and drawing to *York*,

'*York*, by Letters and other Means, divers Mem- An. 18. Car. I.
'bers of both Houſes; and ſetting-up there a coun- 1642.
'terfeit imaginary Viſage of a great Council of July.
'the Peers, in Oppoſition to the Parliament; to
'the great Danger, not only of the Diſturbance,
'but even of the Subverſion, of the original Con-
'ſtitution and Frame of this Kingdom.

'And, that the Way to the great Change in Re-
'ligion and Government intended might be made
'more eaſy and paſſable, many of thoſe, who have
'ſhewed themſelves faithful to the Cauſe of God
'and the Kingdom, either in Parliament or in the
'Country, are put out of the Commiſſion of Peace
'and other public Employments. The Sheriff of
'*Leiceſter* (labouring to keep the Peace when Mr.
'*Henry Haſtings* marched from *Loughborough* into
'*Leiceſter*, with about 200 Foot and 100 Horſe, of
'which many were drawn out of *Derbyſhire*, arm-
'ed, in a warlike Manner, with Piſtols, Pikes, and
'Muſkets, their Drums beating and Colours flying,
'intending to ſeize upon the Magazine of the
'County) was, for his good Service, put out of
'his Office; and Mr. *Haſtings*, the Perſon who
'committed this Outrage, made Sheriff in his
'Place; divers great Lords, his Majeſty's Servants,
'in Places of Nearneſs and Truſt, Perſons of high
'Honour, Merit, and Abilities, as the Earls of
'*Pembroke*, *Eſſex*, and *Holland*, and the Lord *Field-*
'*ing*, diſplaced for no other Cauſe but diſcharging
'their Conſcience in Parliament; beſides divers
'Members of the Houſe of Commons, one of
'which hath long ſerved his Majeſty in Places of
'Honour, and had always been in great Favour
'and Eſteem till he faithfully diſcharged his Duty
'in Parliament: And, laſt of all, the Earl of
'*Northumberland* put from the Place of High Ad-
'miral; a Man ſo eminent in all Qualifications
'of Honour and Sufficiency, ſo neceſſary for the
'State at this Time, when ſo many Ships are at
'the Sea, and the Kingdom in ſo much Trouble
'and Diſtraction, that there can hardly be named a
'more miſchievous Effect of wicked Counſel, or

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'dangerous Preparatives to future Confuſions, than 'the bereaving the State of the Service of ſo noble 'and virtuous a Perſon as he is.

'The Conſideration whereof enforceth both 'Houſes to declare, That they cannot think the 'Kingdom in Safety, nor themſelves to have diſ-'charged the Truſt that lies upon them, till they 'have done their uttermoſt, by all fit Ways, to pro-'cure that Office to be reſtored; whereby the 'Command of the Ships, which are the Walls of 'the Kingdom, may again be ſettled in the Charge 'of that Noble Lord.

'In the Midſt of theſe unjuſt and deſtructive 'Courſes, to blind the Eyes of the Multitude, and 'diſguiſe their malicious and cruel Intentions un-'der the Semblance of Peace and Juſtice, they 'have drawn his Majeſty to make divers ſolemn 'Proteſtations, with fearful Imprecations upon 'himſelf, and Invocations of God's holy Name, '*That he intendeth nothing but the Welfare of his* '*People*; *the Maintenance of Religion and the Laws* '*of the Kingdom*; *and, for his own Security, only* '*to raiſe a Guard for his Perſon: And that he did,* '*from his Soul, abhor the Thought of making War* '*againſt the Parliament, or to put the Kingdom into* '*a Combuſtion:* But having, under this Colour, 'kept about him divers Soldiers and Officers, and 'gathered ſome Strength, the Intentions do now 'appear with a more open Face, by theſe his Ma-'jeſty's enſuing Actions and Proceedings; which 'the Lords and Commons have thought good to 'publiſh, that all the Subjects of the Kingdom may 'underſtand what Dangers and Miſeries are coming 'upon them, if not timely prevented.

'A Garriſon of Soldiers is, by his Majeſty's Or-'der, put into *Newcaſtle*, under the Command of 'the Earl of *Newcaſtle*; who ſhould have formerly 'ſeized upon *Hull*, if, by the Wiſdom of the Parlia-'ment, he had not been prevented.

'The *Papiſts* in *Cheſhire* have lately in a very 'peremptory Manner, and in his Majeſty's Name, 'demanded their Arms, taken from them by Direc-

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'tion of both Houſes of Parliament, to be again 'reſtored to them. An. 18. Car. I. 1642. July.

'The Earl *Rivers*, lately a notorious profeſs'd '*Papiſt*, and ſtill ſuſpected to be a *Papiſt*, altho' 'he now comes to Church, as many other danger-'ous *Papiſts* do, on Purpoſe, as is conceived, to 'make themſelves capable of Employment, is put 'into the Commiſſion of *Array*, being againſt Law 'and the Liberty of the Subject; which he hath 'executed with Rigour, and hath committed divers 'Perſons to Priſon for refuſing to ſubmit thereunto, 'contrary to Law and the *Petition of Right*.

'The Mouth of the River *Tyne* is fortified, 'whereby the whole Trade of *Newcaſtle* for Coal, 'or otherwiſe, will be ſubject to be interrupted 'whenſoever his Majeſty ſhall pleaſe; and the City 'of *London*, and many other Parts of the Kingdom, 'exceedingly burdened and diſtreſſed.

'A Ship laden with Canon for Battery, and other 'leſſer Ordnance, Powder, and Ammunition is 'come into the River *Humber*, which alſo hath 'brought divers Commanders from foreign Parts; 'and in this Ship, we are credibly informed, were 'Mr. *Henry Wilmot*, Sir *John Berkley*, and Sir *Hugh* '*Pollard*, three of thoſe who ſtand charged in Par-'liament for being privy to the Deſign of bringing 'up the Army; and, amongſt others, the Lord *Dig-'by*, a Perſon accuſed in Parliament of High Trea-'ſon; who, when he began to be queſtioned, fled 'out of the Kingdom; and adviſed his Majeſty, by 'Letters, to that Courſe which he hath ſince pur-'ſued, of Withdrawing himſelf from his Parlia-'ment to a Place of Strength: And that then he 'intended to come to him, and in the mean Time 'would do him Service abroad.

'Divers other large Preparations of warlike Pro-'viſions are made beyond the Seas, and ſhortly ex-'pected; beſides great Numbers of Gentlemen, 'Horſes, and Arms drawn from all Parts of the 'Kingdom; and all the Gentlemen in *Yorkſhire* 'required to bring in their Horſes for his Majeſty's 'Service; ſundry Commiſſions are granted for rai-

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'ſing Horſes, and divers Officers of the Army are 'already appointed. Upon *Monday* Morning, the '4th of *July*, his Majeſty came to *Beverley* with an 'Army of a conſiderable Number of Horſe and 'Foot, ſome Regiments of the Trained Bands be-'ing likewiſe commanded to be raiſed. Amongſt 'the Soldiers in this Army there are divers *Papiſts*, 'and other Perſons of deſperate Fortune and Con-'dition, ready to execute Violence, Rapine, and 'Oppreſſion.

'Some Troops of Horſe are ſent into *Lincolnſhire*, 'to the great Terror of the well-affected People; 'who are thereby forced either to forſake their 'Dwellings or to keep them with armed Men: 'They begin already to take away Men's Horſes by 'Force, and commit other Acts of Hoſtility; and 'have uncivilly uſed the Gentlemen ſent from the 'Parliament with a Letter to his Majeſty. Pro-'viſions are reſtrained from coming to *Hull*, and 'his Majeſty is ſhortly expected to come thither 'with his Army; notwithſtanding the Place is in 'the Cuſtody of the Parliament, as hath been often 'declared to his Majeſty by both Houſes, and kept 'by them for his Service and the Peace of the King-'dom, whereof as ſoon as they are aſſured, they 'intend to leave the Town in the State it was.

'The War being thus begun by his Majeſty, the 'Lords and Commons in Parliament hold them-'ſelves bound in Conſcience to raiſe Forces for the 'Preſervation of the Peace of the Kingdom, and 'Protection of the Subjects in their Perſons and 'Eſtates according to Law, the Defence and Secu-'rity of Parliament, and of all thoſe who have been 'employed by them in any Public Service for theſe 'Ends; and, through God's Bleſſing, to diſappoint 'the Deſigns and Expectations of thoſe who have 'drawn his Majeſty to theſe Courſes and Counſels, 'in Favour of the *Papiſts* at home, the Rebels in '*Ireland*, and the foreign Enemies of our Religion 'and Peace.

'In the Oppoſing of all which they deſire the 'Concurrence of the well-diſpoſed Subjects of this 'King-

'Kingdom; and ſhall manifeſt, by their Courſes and Endeavours, that they are carried by no Reſpects but of the Public Good, which they will always prefer before their own Lives and Fortunes; and ſhall ever be moſt earneſt, in their Counſels and Endeavours, to prevent a Civil War, and thoſe miſerable Effects it muſt needs produce, if they may be avoided, without endangering the Alteration of Religion; which is the main End of thoſe who have been the Authors and Counſellors of his Majeſty's undertaking this War, and will neceſſarily draw with it a Loſs of Liberty, and Subverſion of the Law of the Kingdom; ſo that it reſts only that the free-born *Engliſh* Nation do conſider whether they will adhere to the King and his Parliament, by which they have ſo long enjoyed all that is dear unto them; or to the King, ſeduced by *Jeſuitical* Counſel and Cavaliers, who have deſigned all to Slavery and Confuſion; which, by God's Bleſſing and our joint Endeavours, may be timely prevented.'

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Another *Declaration* came out at the ſame Time, to aſſure the Owners and Inhabitants of Lands near *Hull*, that they ſhould be fully ſatisfied by both Houſes, for the Damages ſuſtain'd by Sir *John Hotham*'s neceſſary letting in ſome Tides from the *Humber*, for ſecuring that Town: And alſo Protection and full Recompence for all neceſſary Proviſions, ſent in by Land or Sea, for the Uſe thereof. Some more *Orders* about ſettling the *Militia* concluded the Buſineſs of this Day.

Their Declaration concerning Hull and the Militia,

July 12. A third *Declaration* was this Day agreed to by both Houſes, of an extraordinary Nature, in theſe Words:

'THE Lords and Commons *declare*, That it is againſt the Laws and Liberties of the Kingdom, that any of the Subjects thereof ſhould be compelled by the King to attend him at his Pleaſure, but

And againſt the King's compelling the Attendance of his Subjects.

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'but ſuch as are bound thereto by ſpecial Service: 'And if any Meſſenger or Officer ſhall, by Colour 'of any Command from his Majeſty, or Warrant 'under his Majeſty's Hand, arreſt, take, or carry 'away any of his Majeſty's Subjects, to any Place 'whatſoever, contrary to their Wills, that it is both 'againſt the Laws of the Land, the Liberty of the 'Subject, and tends to the Diſturbance of the Public 'Peace of this Kingdom; and any Subjects, ſo ar-'reſted, may lawfully refuſe to obey ſuch Arreſts 'and Commands.'

Some Ships of War ſent to Hull.

Orders were agreed to be ſent to the Earl of *Warwick* to carry down ſome of the Ships, under his Command, into the *Humber*, for the better Defence of the Town of *Hull*; the Parliament having Information that the King intended to beſiege that Place.

Order againſt the Univerſity of Oxford's Loan to the King.

Another *Order* was alſo made, to prevent the Univerſity of *Oxford*, from carrying their Plate, *&c.* away to maintain a War againſt the Parliament. This *Order* was occaſioned by the Heads of ſeveral Colleges having raiſed a very conſiderable Loan for the King, for which his Majeſty had ſent them a Letter of Thanks.

Mr. *Holles* brought up a Meſſage from the Commons, with ſome *Votes*; which, he ſaid, had paſſed their Houſe with much Joy; and in which they doubted not of the Lords Concurrence with the ſame Chearfulneſs. The *Votes* were theſe:

The Parliament reſolve to raiſe an Army, and alſo to petition the King for an Accommodation.

Reſolved, 'That an Army ſhall be forthwith raiſed for the Safety of the King's Perſon, the Defence of both Houſes of Parliament, and of thoſe who have obeyed their Orders and Commands; and for the Preſervation of the true Religion, the Laws, Liberties, and Peace of the Kingdom.'

Reſolved, 'That the Earl of *Eſſex* be named General thereof.'

Reſolved, 'That a *Petition* ſhall be forthwith prepared, to move the King to a good Accord with the Parliament, and to prevent a Civil War.'

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Reſolved, 'That this Houſe doth *declare*, That, in this Cauſe, for the Safety of the King's Perſon, and the Defence of both Houſes of Parliament, and of thoſe who have obeyed their Orders and Commands, *&c.* they will live and die with the Earl of *Eſſex*, whom they have nominated General in this Cauſe.' An. 18. Car. I. 1642. July.

Next, a Draught of the *Petition* to the King, for Peace, was read; in which the Lords agreed with the Houſe of Commons, as alſo in all the foregoing *Votes*: And the Earl of *Holland*, Sir *John Holland*, and Sir *Philip Stapylton*, were appointed to carry the *Petition* to his Majeſty at *York*.

Then the Speaker of the Houſe of Lords acquainted the Earl of *Eſſex*, That that Houſe had agreed in the Deſires of the Commons, and had approved of his Lordſhip to be General. Hereupon the Earl gave their Lordſhips Thanks; profeſſing his Integrity and Loyalty to the King to be as much as any; and that he would live and die with their Lordſhips in this Cauſe.

Lord *Clarendon* obſerves upon theſe *Votes*, 'That the Motion for a *Petition* to the King for an Accommodation was purpoſely then conſented to, that the People might believe the Talk of an Army and a General was only to draw the King to the more reaſonable Conceſſions: And that it was certain the firſt was conſented to by many, eſpecially of the Houſe of Peers, (in Hopes the better to compaſs the other) with the perfect Horror of the Thought of a War.' *(h)*

This Mr. *Holles* himſelf, the Meſſenger appointed by the Commons to carry up theſe *Votes* to the Lords, as before-mentioned, confirms in his *Memoirs* *(i)*, wherein he ſays, 'The Members of Parliament, who, at this Time, appealed to the Sword to plead their Cauſe and decide their Quarrel, declared themſelves to deſire nothing but the Settle-

(h) Hiſtory of the Rebellion, Vol. II. p. 683.

(i) The *Memoirs* of *Denzil* Lord *Holles*, Baron of *Iſield* in *Suſſex* (ſo created *An.* 13. *Car.* II.) from the Year 1641 to 1648. Printed in 1699, *Octavo*.

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ment of the Kingdom, in the Honour and Greatneſs of the King, and in the Happineſs and Safety of the People: And, whenſoever that could be obtained, to lay down the Sword, and ſubmit again to the King's Sceptre of Peace more willingly than ever they reſiſted his Force and Power. This, I am ſure, was the ultimate End of many, I may ſay of the chiefeſt of thoſe who at that Time appeared; upon which Principle they firſt moved, and from which they never departed:——But, whilſt theſe Men acted in the Simplicity of their Hearts, there was another Generation of Men, which, like the frozen Snake that lay in their Boſoms, ſeemed to deſire but the ſame Things with them, and that the ſame ſhould have contented them, when it was nothing ſo; but they had further Deſigns, to deſtroy and cut off not a few, to make the Land an *Aceldama*, ruin the King and as many of the Nobility and Gentry as they could, alter the Government, have no Order in the Church, nor Power in the State over them.'——Thus far Mr. *Holles*.

July 13. A *Letter* from the King, directed to the Speaker of the Houſe of Lords, was read, importing a Command to communicate the incloſed *Meſſage* to both Houſes.

His MAJESTY's MESSAGE *to both Houſes of Parliament.*

The King's Meſſage concerning his going to Hull.

'BY our former *Declarations*, and this our *Proclamation*, which we herewith ſend you, you, and all our good Subjects, may ſee the juſt Grounds of our preſent Journey towards our Town of *Hull*. Before we ſhall uſe Force to reduce that Place to its due Obedience, we have thought fit, once more, to require you, that it may be forthwith delivered up to us, the Buſineſs being of that Nature that it can admit of no Delay; wherein if you ſhall conform yourſelves, we ſhall then be willing to admit ſuch *Addreſſes* from you, and return ſuch *Propoſitions* to you, as may be proper to ſettle the Peace of this King-

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'dom, and compoſe the preſent Diſtractions. Do your Duty herein, and be aſſured from us, on the Word of a King, that nothing ſhall be wanting on our Part, that may prevent the Calamities which threaten this Nation, and may render our People truly happy. If this our gracious Invitation ſhall be declined, God and all good Men judge betwixt us. We ſhall expect to receive Satisfaction herein by your *Anſwer*, to be preſented to us at *Beverley* upon *Friday* next, being the 15th Day of this preſent *July*.'

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By the KING,

A PROCLAMATION *declaring our Purpoſe to go, in our Royal Perſon, to* HULL; *and the true Occaſion and End thereof.* (k)

And his Proclamation, ſetting forth the Reaſons thereof.

'WE having long complained of the high Affront done unto us, in our own Perſon, by Sir *John Hotham*, when we went to our Town of *Hull* to view our Magazines and Arms, our own proper Goods (if we ſhall be allowed to call any Thing our own) which then were there; and ſince, by and under Colour of *Orders* made by both our Houſes of Parliament, not only without, but againſt, our Conſent, violently taken and carried from thence; and for that the Town itſelf, being the principal Fort and Port of theſe Northern Parts of this Kingdom, in a warlike Manner, with many hundreds of Soldiers, hath been kept and maintained againſt us as a Garriſon and Town of War, as againſt an Enemy; and that by the Practice of a Malignant Party, which hath too great an Influence upon our two Houſes of Parliament, inſtead of repairing our Honour for this Indignity, ſeveral *Orders* and *Votes* of the Major Part, then preſent, have been made to juſtify all this as Legal; which *Orders* and *Votes* would have us, and others, to believe, upon the many *Proteſtations* in Print, *That there hath been nothing done therein*, (as in many other Things of

(k) This *Proclamation* is not entered at all in the *Journals*; and only the Preamble to the *King's Meſſage*.

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'that Nature) *but for the Safety of our Perſon, the* 'Honour of our Crown, *and the Good of the King-* 'dom; as if Words, directly contrary to theſe Ac- 'tions of Hoſtility, could ſatisfy us, or any rea- 'ſonable Man, not blinded with Self-opinion, or 'abuſed and miſled by vain and falſe Surmiſes, or 'groundleſs Jealouſies: We have now looked ſome- 'what more narrowly into the Manner of Sir *John* 'Hotham's Carriage in this his Employment, and did 'find, by the certain Relation of others, That for 'the Fortifying of the Place againſt us, his Liege 'Lord, he hath uſed the Help of Art in making 'Out-works to defend the Town; he hath pur- 'poſely cut the Banks, and let in the Waters to 'drown the Land Paſſages, and to make the Town 'inacceſſible by that Way; he hath ſet forth a Pin- 'nace (amongſt other good Services) to intercept 'a Pinnace of ours employed for carrying of Let- 'ters, Meſſages, and Paſſengers between us and our 'deareſt Conſort the Queen; he permitteth his 'Soldiers to iſſue out of the Town and forage upon 'the Country; he hath not only unlawfully, but ty- 'rannically, caſt out divers Inhabitants of the Town 'from their Dwellings, becauſe he could not confide 'in them; he hath diſarmed all the Townſmen, that 'he might put the ſole Power in the Soldiery under 'his Command; he doth compel ſome others of 'the Inhabitants, deſirous to depart the Town with 'their Families, to abide and continue there a- 'gainſt their Wills; and, by drowning of the Lands 'about the Town, in Manner as aforeſaid, he hath 'deſtroyed the Paſtures, Meadows, and Corn- 'Lands within that Compaſs, containing ſome 'thouſands of Acres of very fruitful Grounds, a- 'mounting to a great Value, to the great Impover- 'iſhing of the Owners and Occupiers thereof; he 'hath, for divers Months, continued in Pay many 'hundreds of Soldiers; and endeavoured, under Pre- 'tence of Authority from the two Houſes of Par- 'liament, to increaſe their Number from the Coun- 'ty of *Lincoln* adjoining, and from other Places; 'and this at the Public Charge of the Kingdom,

'and

'and out of thoſe Monies provided for the Relief An. 18. Car. I.
'of the Miſeries of *Ireland*, and Payment of the 1642.
'great Debt to our Kingdom of *Scotland*. July.

'Whereupon we being very ſenſible of this ex-
'treme Diſhonour to us, That a Town of ſuch
'Importance, and ſo near to the Place of our pre-
'ſent Reſidence, ſhould be thus fortified, kept, and
'maintained againſt us; that the Port and Paſſage
'by Sea ſhould be defended againſt us by our own
'Ships, under the Conduct of the Earl of *Warwick*,
'who being legally diſcharged by us of his Employ-
'ment at Sea, by our Revocation of the Commiſ-
'ſion formerly granted by us to the Earl of *Nor-*
'*thumberland*, and by our Command ſignified un-
'to him, under our own Hand, to deliver the Com-
'mand of our Ships into the Hands of another Per-
'ſon named by us, hath, notwithſtanding our ſaid
'Commands, (to which the Earl of *Northumber-*
'*land* paid a dutiful Obedience) preſumed not only
'to diſpoſſeſs us of our ſaid Navy, but to employ
'it againſt us; and to take Priſoners ſuch of our
'Captains as expreſſed a Loyalty to us, according
'to their Oaths and the Duty of Subjects; and
'that a Ship of ours, lately employed for our par-
'ticular Service into *Holland*, and returning from
'thence with ſome of our proper Goods, hath been
'chaſed by them as an Enemy; and enforced, for
'her Safety, to put into a ſmall Creek within ſix
'Miles of that Town, and there to run on Ground,
'to the great Hazard of our ſaid Veſſel; and that
'both our Ship and Goods were yet remaining there,
'in Danger to be ſurprized by our own Subjects:
'We took a Journey on *Wedneſday*, the 6th of
'this Month, from *York* towards the ſaid Creek,
'to take a View of our ſaid Ship and Goods, thus
'expoſed to Danger; having juſt Cauſe to fear
'that Sir *John Hotham*, and others of his Confe-
'deracy, would (for our Good, and the Good of
'the Kingdom) make Prize of theſe alſo; and, by
'the Opportunity of that Journey, we ourſelf are
'now fully informed of the Certainty of thoſe
'Things, which we had before received but from

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'the Relation of others; and there received a lamentable *Petition* of our Subjects of thoſe Parts, 'complaining of the unheard-of Inſolence and Barbariſm of Sir *John Hotham*, and deſiring our juſt 'and neceſſary Protection of them from thoſe cruel 'Oppreſſions.

'Upon all which Conſiderations, that we may 'at length, after this long Patience, do that Right 'to our Honour, our Crown and Royal Dignity, 'and to our good Subjects in general, and thoſe of 'and near to our Town of *Hull* in particular, '(which we had Reaſon to have expected from our 'two Houſes of Parliament, but have failed of the 'Fruit of our long Expectation, by the Malice of 'ſome ill-affected Spirits amongſt them, who ſtu'dy nothing more than, by falſe Pretences, to a'muſe and abuſe our good People;) we have 'taken this Reſolution, by God's Bleſſing, and 'the Aſſiſtance of our good Subjects, to force Sir '*John Hotham*, and all that ſhall take Part with 'him in the unjuſt and treaſonable Defence of the 'Town of *Hull* againſt us, to that Obedience 'which is due by Subjects to their Liege Lord and 'Sovereign; and to reſiſt the Aſſiſtance, intended to 'Sir *John Hotham*, from our ſaid County of *Lincoln* 'and other Places adjoining, if they ſhall attempt 'it: And, to this Purpoſe, we will and require all 'our loving Subjects to yield their beſt Aſſiſtance, 'of what Kind ſoever, to ſo neceſſary a Defence 'of our Perſon, and juſt Vindication of ſo great an 'Injury offered unto us, to the Diſhonour of this 'Nation. And we do declare, That whoſoever 'ſhall give us their chearful Help at this Time, 'and to this Purpoſe, either with Men, Horſes, 'Arms, or Money, to be brought, ſent, or con'veyed unto us, we ſhall look upon it as a Service 'never to be forgotten.

'And this we publiſh to all our Subjects, and to 'all the World, that they may truly underſtand 'the Clearing of our Intentions herein, as we ſhall 'do in all other Things concerning our Govern'ment; and that we do and ever ſhall maintain

'thoſe

'thoſe Reſolutions we have profeſſed ſo often, An. 18. Car. I.
'and ſo ſeriouſly, by our former *Declarations*, That 1642.
'we will continue to defend the true *Proteſtant* July.
'Religion, as it is by Law eſtabliſhed, in the
'Church of *England*; the Laws of the Land; the
'Rights and juſt Liberties of our Subjects equally
'to and with our own juſt Prerogative, and the
'true Privileges of Parliament; and never infringe
'any Act conſented to by us this Parliament; and
'that we have not, nor ever had, the leaſt Thought
'of making War upon our two Houſes of Parlia-
'ment, as hath been ſlanderouſly and maliciouſly
'publiſhed. And theſe Things, not our Words
'only, but all our Actions ſhall make good: And
'in this Reſolution, and the juſt Obſervation there-
'of, we ſhall both live and die.'

Given at our Court at Beverley, *the eighth Day of* July, *in the eighteenth Year of our Reign*, 1642.

July 13. Both Houſes having been at ſome Trouble to get any Alderman of *London* to act for the Lord Mayor during his Impriſonment, ſeveral of them having abſolutely refuſed it, as not conſiſtent with their Oath to the City: It was this Day *ordered*, That the Lord Mayor be commanded to depute ſome Perſon to be *Locum-tenens*, for the Government of the City of *London*, and calling of Common Councils.

July 14. Sir *John Conyers*, Lieutenant of the *Tower*, who was ordered to deliver the foregoing Meſſage, acquainted the Lords, that the Lord Mayor ſaid, He had no Power to appoint a Deputy for the Government of the City, during his Abſence. Hereupon the Lords *ordered*, That Sir *George Whitmore*, Knt. and Alderman, in the Abſence of the Lord Mayor, do cauſe a Court of Aldermen to be ſummoned, to meet at *Guildhall* the next Day; and they, ſo ſummoned, are ſtrictly enjoined to appear accordingly; then to make Choice of a *Locum-tenens*, or to conſider of what other

Further Proceedings in the Lord Mayor's Trial.

An. 18. Car. I. 1642. July. other Way will be according to the Cuſtom and Charters of the City, for the Safety and good Government thereof; and to give Account of their Proceedings therein to the ſaid Lords in Parliament, on the 16th of this Inſtant *July*.

Order of Parliament againſt publiſhing the King's laſt Declaration. Many Magiſtrates and Clergymen, in Town and Country, were, about this Time, taken up and committed, by *Order* of the Houſe of Commons, for reading, in their reſpective Corporations and Pariſh-Churches, the King's laſt *Declaration*, publiſhed by his ſpecial Command.

Both Houſes concurred in an *Order* to the Meſſengers appointed to preſent their laſt *Petition*, for Peace, to the King, to acquaint his Majeſty, That, ſince the framing and preparing of that *Petition*, they have received from him a *Meſſage*, concerning the Delivering up of *Hull*; to which they conceive that *Petition* gives a full *Anſwer*, and therefore had reſolved not to return any other:——But Mr. *Ruſhworth* informs us, 'That, leſt the King ſhould think it a Dilatorineſs in the Parliament to return an *Anſwer*, the two Houſes ſent him, Poſt, to *Beverley*; to acquaint his Majeſty, that the Earl of *Holland*, Sir *John Holland*, and Sir *Philip Stapylton*, were coming down with a *Petition* of both Houſes, in *Anſwer* to his Majeſty's ſaid *Meſſage*.'

The ſame Day the Earl of *Bedford* was appointed General of Horſe, by the Concurrence of both Houſes, and approved on by the Earl of *Eſſex*; who, alſo, expreſſed his Loyalty to the King, and his Readineſs in the Service, being, as he ſaid, for the Good and Welfare of the King and Kingdom; and, what he wanted in Experience he would make up in his hearty Affections to the Service.

July 15. A Commiſſion for conſtituting the Earl of *Eſſex* Captain-General, *&c.* was read and agreed to by the Lords; which, though of a conſiderable Length, yet, ſince it is not in *Ruſhworth* or any other

other of the Cotemporaries, and is very expreſſive in Form and Manner, we give, in its own Words, from the *Lords Journals*. An. 18. Car. I. 1642. July.

'WHereas, upon ſerious Conſideration of the preſent and imminent Dangers of Force and Violence, which, at this Time, threaten the Parliament and the whole Kingdom, through the cunning Practice of *Papiſts*, and malicious Counſels of divers ill-affected Perſons, inciting his Majeſty to raiſe Men, make great Proviſions for War, and place Garriſons in Towns and other Places of Importance within this Kingdom; and, by Terror of Arms, to compel his Subjects to ſubmit to a Commiſſion of *Array*, contrary to Law; whereby God's true Religion and the Liberty of the Kingdom are like to be ſuppreſſed, and the whole Frame of the antient and well-tempered Government of this Realm to be diſſolved and deſtroyed, and the *Engliſh* Nation inthralled, in their Perſons and Eſtates, to an arbitrary Power: The Lords and Commons in this preſent Parliament aſſembled, according to the Duty and Truſt which lies upon them for Prevention of theſe great Miſchiefs, and Preſervation of the Safety of his Majeſty's Perſon, the Peace of the Kingdom, and Defence of the Parliament, *reſolved* and *ordained*, That an Army be forthwith raiſed; and that the Trained Bands, and other Forces of the Kingdom, be put into a Poſture and Condition fit to oppoſe any Force and Inſurrection by *Papiſts*, or ill-affected Perſons, againſt the Public Peace and Laws of the Kingdom, however countenanced by any pretended Commiſſion or Authority from his Majeſty; and finding it moſt neceſſary that ſome Perſons of Honour, Wiſdom, and Fidelity ſhould be appointed to command the ſaid Army and Forces; and having had long Experience and certain Knowledge that *Robert* Earl of *Eſſex* is, every Way, qualified for a Truſt of ſo high a Nature and Concernment, in regard of the Nobility of his Birth, his great Judgment in Martial

The Parliament's Commiſſion to the Earl of Eſſex to be Captain-General of their Army.

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'tial Affairs, approved Integrity and Sufficiency 'in divers Honourable Employments and Com-'mands in the ſaid Public Service of this State; and 'in whom his Majeſty repoſed ſuch Confidence, 'that, when he went into *Scotland* the laſt Summer, 'he left him General of all the *South* Parts of the 'Kingdom; and eſpecially in regard of his Faith-'fulneſs and good Affections to the Liberty, Peace, 'and Proſperity of the Kingdom, in this preſent 'Parliament abundantly manifeſted; and of the 'great Honour and Confidence among the well-'affected People of the Kingdom, which he hath 'hereby gained: The ſaid Lords and Commons do '*Conſtitute* and *Ordain* him, the ſaid *Robert* Earl of '*Eſſex*, to be the Captain-General and Chief Com-'mander of the Army appointed to be raiſed, and 'of all other Forces of the Kingdom, for the Ends 'and Purpoſes aforementioned; and that he the 'ſaid Earl ſhall have and enjoy all Power, Titles, 'Preheminence, Authority, Juriſdiction, and Li-'berties, incident and belonging to the ſaid Office of 'Captain-General, throughout the whole King-'dom of *England* and Dominion of *Wales*, in as 'large and ample a Manner as any other General 'of an Army in this Kingdom hath lawfully uſed, 'exerciſed, and enjoyed; to have, hold, and exe-'cute the Office of Captain-General, in ſuch Man-'ner, and according to ſuch Inſtructions, as he ſhall, 'from Time to Time, receive from both Houſes 'of Parliament.

'And do further *Grant* and *Ordain*, That the 'ſaid Earl ſhall have Power to raiſe and levy Forces, 'as well Men at Arms, as other Horſemen and 'Footmen of all Kinds, and meet for the Wars, in 'all Counties, Cities, Boroughs, Towns Corporate, 'and other Places of this Kingdom and Dominion 'of *Wales*, as well within Liberties as without; 'and them to conduct and lead againſt all and ſin-'gular Enemies, Rebels, Traitors, and other like 'Offenders, and every of their Adherents; and 'with them to fight, and them to invade, reſiſt,

're-

'repreſs, ſubdue, purſue, ſlay, and kill; to put in 'Execution all and ſingular other Things for the 'levying and governing of the ſaid Forces, preſer- 'ving the Safety of his Majeſty's Perſon, Defence 'of the Parliament, and the Conſervation of this 'Realm and the Subjects thereof in Peace, from 'all unlawful Violence, Oppreſſion or Force, 'howſoever countenanced by any pretended Com- 'miſſion or Authority from his Majeſty, or other- 'wiſe; and ſhall have Power to aſſign and appoint a 'Lieutenant-General under him, the ſaid Earl, in 'his Stead to do and excute all and every the Powers 'and Authority granted to him, the ſaid Earl; alſo 'to appoint a Lieutenant General of the Troops of 'Horſe and all ſuch Commanders and Officers as 'ſhall be neceſſary and requiſite for the Government 'and Command of the ſaid Army; and likewiſe one 'Provoſt-Martial for the Execution of his Com- 'mands, according to this *Ordinance*. An. 18. Car. I. 1642. July.

'And for the better Execution of the Premiſes, 'it is *ordered* and *ordained*, That the ſaid Earl ſhall 'have Power to command all Forts and Caſtles, 'already fortified or to be fortified; and to remove, 'diſplace, or continue the Captains, Lieutenants, 'and Soldiers: As likewiſe all Ships, Barks, and 'Veſſels, which he, the ſaid Earl, ſhall think meet, 'from Time to Time, for the Uſe and Service of 'the ſaid Army and Forces, under his Government 'and Command; likewiſe to give Rules, Inſtruc- 'tions, and Directions, for the Governing, Lead- 'ing, and Conducting the ſaid Army; and for the 'Puniſhing of all Mutinies, Tumults, Rapines, and 'other Crimes and Miſdemeanors of any Perſon 'whatſoever in the ſame, according to the Courſe 'and Cuſtom of the Wars, and Law of the Land; 'and the ſame Rules and Inſtructions to cauſe to be 'proclaim'd, perform'd, and executed; ſtraitly char- 'ging and requiring both the ſaid Lieutenant- 'Generals, Provoſt-Martial, and all other Officers 'and Soldiers of the ſaid Army; as likewiſe all 'Lieutenants of Counties, Sheriffs, Deputy-Lieu- 'tenants, Officers of the Ordnance, Commanders

'of

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'of Forts, Juſtices of Peace, Mayors, Bailiffs, and 'other his Majeſty's Officers and Subjects whatſo-'ever, to be aiding and aſſiſting, and obedient to 'him, the ſaid Earl, in the Execution of the ſaid 'Office of Captain General, for the Ends and Pur-'poſes, and in the Manner aforeſaid.

'And do likewiſe *ordain* and *declare*, That the 'ſaid Earl, the Commanders and Officers of the 'ſaid Army, and all his Majeſty's Officers and Sub-'jects whatſoever, in the Execution of the Premiſes, 'ſhall be ſaved Harmleſs, and defended by the 'Power and Authority of both Houſes of Parlia-'ment.'

Upon putting the Queſtion, Whether the Lords ſhould agree to the *Ordinance* for this Commiſſion? the Earl of *Portland* was the only Peer then in the Houſe that diſſented. But theſe *Votes*, for a ſpeedy Armament, *&c.* were not carried in the Houſe of Commons without very great Debate. Mr. *Whitlocke* has given us a Speech of his own againſt them. There is likewiſe another of Sir *Benjamin Rudyard*'s, on the ſame Occaſion, yet preſerved: Both which ſerve to ſhew, that ſome Men had the Courage to ſpeak their Minds freely againſt theſe Military *Votes*. And firſt Mr *Whitlocke*.

Mr. Speaker,

Mr. Whitlocke's Speech againſt a Civil War.

'THE Queſtion which was laſt propounded, about raiſing Forces, naming a General and Officers of an Army, hath been very rare, before this Time, in this Aſſembly; and it ſeems to me to ſet us at the Pit's Brink, ready to plunge ourſelves into an Ocean of Troubles and Miſeries; and, if that could be, into more than a Civil War brings with it.

'Give me Leave, Sir, to conſider this unhappy Subject, in the Beginning, Progreſs, and Iſſue of it.

'*Cæſar* tells us, and he knew as much of Civil War as any Man before him, that it cannot be begun *ſine malis Artibus*.

'Surely

'Surely, Sir, our Enemies of the *Popiſh* Church have left no evil Arts unaſſayed to bring us to our preſent Poſture, and will yet leave none unattempted to make our Breaches wider; well knowing that nothing will more advance their Empire than our Diviſions. An. 18. Car. I. 1642. July.

'Our Miſery, whom they account Hereticks, is their Joy, our Diſtractions will be their Glory, and all evil Arts and Ways to bring Calamities upon us, they will eſteem meritorious.

'But, Sir, I look upon another Beginning of our Civil War. God bleſſed us with a long and flouriſhing Peace, and we turned his Grace into Wantonneſs, and Peace would not ſatisfy us without Luxury, nor our Plenty without Debauchery; inſtead of Sobriety and Thankfulneſs for our Mercies, we provoked the Giver of them by our Sins and Wickedneſs, to puniſh us, as we may fear, by a Civil War, to make us Executioners of Divine Vengeance upon ourſelves.

'It is ſtrange to note how we have inſenſibly ſlid into this Beginning of a Civil War, by one unexpected Accident after another, as Waves of the Sea, which hath brought us thus far, and we ſcarce know how; but, from Paper Combats, by *Declarations*, *Remonſtrances*, *Proteſtations*, *Votes*, *Meſſages*, *Anſwers*, and *Replies*, we are now come to the Queſtion of raiſing Forces, and naming a General and Officers of an Army.

'But what, Sir, may be the Progreſs hereof, the Poet tells you:

Juſq; datum Sceleri canimus, Populumq; potentem
In ſua Victrici converſum Viſcera Dextra.

'We muſt ſurrender up our Laws, Liberties, Properties, and Lives, into the Hands of inſolent Mercenaries, whoſe Rage and Violence will command us and all we have. Reaſon, Honour, and Juſtice will leave our Land; the Ignoble will rule the Noble; Baſeneſs will be preferred before Virtue, and Profaneneſs before Piety.

'Of

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'Of a potent People we ſhall make ourſelves weak, and be the Inſtruments of our own Ruin; *Perditio tua ex te* will be ſaid to us: We ſhall burn our own Houſes, lay waſte our own Fields, pillage our own Goods, open our own Veins, and eat our own Bowels.

'You will hear other Sounds beſides thoſe of Drums and Trumpets; the Clattering of Armour, the Roaring of Guns, the Groans of wounded and dying Men, the Shrieks of deflowred Women, the Cries of Widows and Orphans; and all on your Account, which makes it the more to be lamented.

'Pardon, Sir, the Warmth of my Expreſſion on this Argument; it is to prevent a Flame which I ſee kindled in the Midſt of us, that may conſume us to Aſhes. The Sum of the Progreſs of Civil War, is the Rage of Fire and Sword; and, which is worſe, of bruiſh Men.

'What the Iſſue of it will be, no Man alive can tell: Probably few of us now here may live to ſee the End of it. It hath been ſaid, That he that draws his Sword againſt his Prince, muſt throw away the Scabbard. Thoſe Differences are ſcarce to be reconciled. Theſe Commotions are like the deep Seas, which, being once ſtirred, are not ſoon appeaſed.

'I wiſh the Obſervation of the Duke *de Rohan*, in his *Intereſt of Chriſtendom*, may prove a Caution, not a Prophecy; he ſaith of *England*, That it is a great Creature, which cannot be deſtroyed but by its own Hand: And there is not a more likely Hand than that of Civil War to do it.

'The Iſſue of all War is like a Caſt at Dice, none can tell upon what Square the *Alea Belli* will light; the beſt Iſſue that can be expected of a Civil War, is, *ubi Victor flet, & Victus perit*. Which of theſe will be our Portion is uncertain, and the Choice ſhould be avoided.

'Yet, Sir, when I have ſaid this, I am not for a tame Reſignation of our Religion, Lives, and Liberties into the Hands of our Adverſaries, who ſeek to devour us; nor do I think it inconſiſtent with your

your great Wiſdom, to prepare for a juſt and neceſſary Defence of them. An. 18. Car. I. 1642. July.

'It was truly obſerved by a Noble Gentleman, That, if our Enemies find us provided to reſiſt their Attempts upon us, it will be the likelieſt Way to bring them to an Accord with us: And, upon this Ground, I am for the Queſtion.

'But I humbly move you to conſider, Whether it be not yet too ſoon to come to it? We have tried by Propoſals of Peace to his Majeſty, and they have been rejected: Let us try yet again, and appoint a Committee who may review our former *Propoſitions*.

'And where they find the Matter of them (as our Affairs now are) fit to be altered, that they preſent the Alterations to the Houſe, and their Opinions; and that, as far as may ſtand with the Security of us and our Cauſe, we may yield our Endeavours to prevent the Miſeries which look black upon us, and to ſettle a good Accommodation; ſo that there may be no Strife between us and thoſe of the other Party, *for we are Brethren*.'

Sir BENJAMIN RUDYARD'*s on the ſame Occaſion.* (*l*)

Mr. Speaker,

'IN the Way we are, we have gone as far as Words can carry us: We have voted our own Rights and the King's Duty. No Doubt there is a relative Duty between King and Subjects, Obedience from a Subject to a King, Protection from a King to his People. The preſent unhappy Diſtance between his Majeſty and the Parliament, makes the whole Kingdom ſtand amazed, in a fearful Expectation of diſmal Calamities to fall upon it. It deeply and conſcionably concerns this Houſe, to compoſe and ſettle theſe threatening ruining Diſtractions. Sir Benjamin Rudyard's on the ſame Subject.

'Mr.

(*l*) From the Original Edition printed at *London*, *July* 17, 1642, for *R. Thrale*. This Speech was ſo agreeable to the King, that it was reprinted at *York*, by *Stephen Bulkley*, and publiſhed there the Week following.

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'Mr. Speaker, I am touched, I am pierced, with an Apprehenſion of the Honour of the Houſe, and Succeſs of this Parliament. The beſt Way to give a Stop to theſe deſperate imminent Miſchiefs, is to make a fair Way for the King's Return hither; it will likewiſe give beſt Satisfaction to the People, and will be our beſt Juſtification.

'Mr. Speaker, That we may the better conſider the Condition we are now in, let us ſet ourſelves three Years back. If any Man then could have credibly told us, that, within three Years, the Queen ſhall be gone out of *England* into the *Low-Countries*, for any Cauſe whatſoever; the King ſhall remove from his Parliament, from *London* to *York*, declaring himſelf not to be ſafe here; that there ſhall be a total Rebellion in *Ireland*; ſuch Diſcords and Diſtempers both in Church and State here, as now we find! Certainly we ſhould have trembled at the Thought of it; wherefore it is fit we ſhould be ſenſible now we are in it. On the other Side; if any Man then could have credibly told us, that, within three Years, ye ſhall have *a Parliament*, it would have been good News; that *Ship-Money* ſhall be taken away by an Act of Parliament, the Reaſons and Grounds of it ſo rooted out, as that neither it, nor any thing like it, can ever grow up again; that *Monopolies*, the *High Commiſſion-Court*, the *Star-Chamber*, the *Biſhops Votes*, ſhall be taken away; the *Council-Table* regulated and reſtrained; the *Foreſts* bounded and limited; that ye ſhall have a *Triennial Parliament*; nay more than that, a *perpetual Parliament*, which none ſhall have Power to diſſolve without yourſelves, we ſhould have thought this a Dream of Happineſs! Yet, now we are in the real Poſſeſſion of it, we do not enjoy it, although his Majeſty hath promiſed and publiſhed he will make all this good to us. We ſtand chiefly upon further Security; whereas the very Having of theſe Things is a convenient fair Security, mutually ſecuring one another. There is more Security offered, even in this laſt *Anſwer* of the King's, by removing the perſonal Votes of *Po-*

piſh

piſh Lords, by the better Education of *Papiſts* Children, and by ſupplying the Defects of the Laws againſt Recuſants; beſides what elſe may be enlarged and improved by a ſelect Committee of both Houſes named for that Purpoſe. Wherefore, Sir, let us beware we do not contend for ſuch a hazardous unſafe Security, as may endanger the Loſs of what we have already. Let us not think we have nothing, becauſe we have not all we deſire; and though we had, yet we cannot make a Mathematical Security; all human Caution is ſuſceptible of Corruption and Failing; God's Providence will not be bound, Succeſs muſt be his: He that obſerves the Wind and Rain, ſhall neither ſow nor reap; if he do nothing till he can ſecure the Weather, he will have but an ill Harveſt. An. 18. Car. I. 1642. July.

'Mr. Speaker, it now behoves us to call up all the Wiſdom we have about us, for we are at the very Brink of Combuſtion and Confuſion: If Blood begins once to touch Blood, we ſhall preſently fall into a certain Miſery, and muſt attend an uncertain Succeſs, God knows when, and God knows what. Every Man here is bound, in Conſcience, to employ his uttermoſt Endeavours to prevent the Effuſion of Blood: Blood is a crying Sin, it pollutes a Land; let us ſave our Liberties and our Eſtates, but ſo as we may ſave our Souls too. Now I have clearly delivered my own Conſcience, I leave every Man freely to his.'

July 18. The Lords were employed in reading Letters from Sir *John Hotham* and his Son at *Hull*, declaring the State of that Town; which, at this Time, ſeems to have been, in ſome Meaſure, beſieged by the King's Forces, to the Number of 2500, Horſe and Foot, lying before it; and ſome Deſtruction made of them, as the Letter-Writers ſaid, by the Cannon of the Town. But ſtill the Beſieged had the River *Humber* open to them, where two Ships of the Navy lay, whoſe Captains are reported to have done ſuch good Service, by intercepting of all Veſſels, *&c.* coming from *Holland* The State of Hull at this Time.

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land for the King's Uſe, as to deſerve the Thanks of Parliament.

July.

July 19. Several Parliamentary Indemnities were granted to divers Towns and Counties, for their raiſing and training of Volunteers, for the Service of King and Parliament, againſt the Commiſſion of *Array*.

This being the Day appointed for hearing the Lord Mayor's Cauſe, he was brought to the Bar as a Delinquent, the Commons being preſent; where, kneeling till he was bid to riſe, the Speaker aſked him, if he had brought his Anſwer to the Commons additional Impeachment againſt him; which he delivered in, and it was read *in hæc Verba:*

The HUMBLE ANSWER *of Sir* RICHARD GURNEY, *Knt. and Bart. Lord Mayor of the City of* London, *to a Second Impeachment exhibited againſt him to the Right Honourable the Lords in Parliament, by the Honourable the Houſe of Commons.*

The Lord Mayor's Anſwer to his ſecond Impeachment.

'THE Defendant, ſaving to himſelf all Benefit of Exception to the ſaid Impeachment, as to all and every the wicked and malicious Adviſing, Countenancing, Perſuaſions, Solicitations, and Practices mentioned; and as to the illegal Impriſonment of *John Carter*, *William Gouch*, and *Richard Arnold*, or any other Apprentices within the City of *London*; as alſo to the Charge of Breach of his, this Defendant's, Oath, and Neglect of the Duty of his Place; and to all and every, or any other Offences, Practices, Contempts, and Miſdemeanors, by the ſaid Impeachment laid to this Defendant, he, this Defendant, ſaith, That he is not of them, or any of them, guilty in ſuch Manner and Form as the ſame are in and by the ſaid Impeachment charged.

JOHN HERNE,
CHALONER CHUTE.
Ex Aſſign. Dom. in Parl.

Or-

Ordered, That *Friday* next, the 22d Inſtant, be appointed to proceed in this Cauſe, and the Commons then to produce all the Proofs of their Impeachment. An. 18. Car. I. 1642. July.

July 20. A Letter to the Speaker of the Houſe of Lords, from the Earl of *Holland*, one of their Committee, ſent down into the *North*, to deliver their laſt *Petition* to the King, was read as follows:

My Lord,

OUR Admittance to his Majeſty was very quick, for that very Night we arrived here, after his Supper, though he came home late from Lincoln, (m) *he commanded us to attend him; where we found him accompanied by many Officers, but few Lords; for moſt of them were abſent, they ſay here, to put in Execution the* Commiſſion *of* Array, *in thoſe Shires whither the King's* Commiſſion *had directed them.* The Earl of Holland's Account of his preſenting the Parliament's Petition to the King, for Peace.

After we had read your Petition, *his Majeſty told us*, It was a Buſineſs of great Importance, and required Time to adviſe of his Anſwer; *yet then he remarked, with ſome Sharpneſs, on ſome Parts of the* Petition, *which I ſhall give my Lords an Account of in Perſon.*

I believe we may be diſpatched To-day, or, at furtheſt, To-morrow; for his Majeſty goes to Nottingham *and* Leiceſter, *to call thoſe Counties together, and to aſſure them to him; as, he believes, he has already done thoſe where his Preſence hath been.*

His Forces appear not to be ſo great as they are; for it is ſaid here, and I believe with ſome Truth, that he may, when he pleaſes, call a very conſiderable Number together, that are ready, upon the leaſt Command, to move towards him: But this is declined

(m) In the Interval between the King's iſſuing the foregoing *Proclamation* and the Delivery of the Parliament's *Petition*, his Majeſty took a ſhort Progreſs to *Newark*, to encourage the *Nottinghamſhire* Men, who, by their Letter to their Repreſentatives, ſeem'd much devoted to his Service; after a Day's Stay there he went to *Lincoln* to give ſome Life to his Friends in that County, where the *Ordinance* of *Militia* had been vigorouſly put in Execution by the Lord *Willoughby* of *Parham*, notwithſtanding the King's *Proclamation* to the contrary.

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clined on two Reſpects; the one, untill he hath received a direct Anſwer concerning Hull; *the other, to eaſe his Charge for the preſent. There are ſeveral Troops of Horſe that have been raiſed by Noblemen and Gentlemen, which are quartered in this County.*

Theſe Generals are only proper to be deliverd unto you at this preſent; when I attend you, which ſhall be with all the Diligence I may, my Lords ſhall have a very particular Account of the Knowledge and Duty of

Your Lordſhips

Beverley, July 18, 1642.

moſt humble Servant,

HOLLAND.

Further Particulars of what paſſed upon that Occaſion.

It is obſervable, that, in the foregoing Letter, the Earl of *Holland* only ſays in the general, 'That 'the King remarked with Sharpneſs on ſome Part of 'the *Petition*, the Particulars whereof he thought 'more proper to communicate to the Houſe in Per-'ſon.'——The following Narrative of what paſſed upon this Occaſion, as drawn up by Lord *Clarendon*, who was then with the King at *York*, will therefore come very properly in this Place; and the more ſo, as none of theſe Particulars are mentioned by any other of the Cotemporary Hiſtorians.

'Theſe Meſſengers for Peace reported to all whom they met, and with whom they converſed, 'That they had brought ſo abſolute a Submiſſion 'from the Parliament to the King, that there could 'be no Doubt of a firm and happy Peace:' And when the Earl of *Holland* preſented the *Petition*, he firſt made a ſhort Speech to the King, telling him, 'That the glorious Motto of his bleſſed Fa-'ther, King *James*, was *Beati Pacifici*, which he 'hoped his Majeſty would continue; that they pre-'ſented him with the humble Duty of his two 'Houſes of Parliament, who deſired nothing from 'him but his Conſent and Acceptance of Peace, 'they aiming at nothing but his Majeſty's Honour 'and Happineſs; and then read their Meſſage aloud, 'in theſe Words:

To

An. 18. Car. I. 1642.

To the KING's Moſt Excellent MAJESTY,

July.

The HUMBLE PETITION of the LORDS and COMMONS aſſembled in Parliament.

May it pleaſe your Majeſty,

The Petition.

ALthough we, your Majeſty's moſt humble and faithful Subjects, the Lords and Commons in Parliament aſſembled, have been very unhappy in many former Petitions and Supplications to your Majeſty; wherein we have repreſented our moſt dutiful Affections, in adviſing and deſiring thoſe Things which we held moſt neceſſary for the Preſervation of God's true Religion, your Majeſty's Safety and Honour, and the Peace of the Kingdom; and, with much Sorrow, do perceive, that your Majeſty, incenſed by many falſe Calumnies and Slanders, doth continue to raiſe Forces againſt us and your other loyal and peaceable Subjects; to make great Preparations for War, both in this Kingdom and alſo from beyond the Seas; by Arms and Violence, to over-rule the Judgment and Advice of your Great Council; and, by Force, to determine the Queſtions there depending, concerning the Government and Liberty of the Kingdom; yet ſuch is our earneſt Deſire of diſcharging our Duty to your Majeſty and the Kingdom, to preſerve the Peace thereof, and to prevent the Miſeries of Civil War amongſt your Subjects, that (notwithſtanding we hold ourſelves bound to uſe all the Means and Power, which, by the Laws and Conſtitutions of this Kingdom, we are truſted with, for Defence and Protection thereof, and of the Subjects, from Force and Violence) we do, in this our humble and loyal Petition, *proſtrate ourſelves at your Majeſty's Feet; beſeeching your Majeſty, that you will be pleaſed to forbear and remove all Preparations and Actions of War, particularly the Forces from about* Hull, *from* Newcaſtle, Tinmouth, Lincoln, *and* Lincolnſhire, *and all other Places; and that your Majeſty will recall the Commiſſions of* Array, *which are illegal; diſmiſs the Troops and extraordinary Guards, by you raiſed; that your Majeſty will come nearer to your Parliament, and hearken to their faithful Ad-*

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vice and humble Petitions, which ſhall only tend to the Defence and Advancement of Religion, your own Royal Honour and Safety, the Preſervation of our Laws and Liberties: And we have been, and ſhall ever be, careful to prevent and puniſh all Tumults and ſeditious Actions Speeches, and Writings, which may give your Majeſty juſt Cauſe of Diſtaſte or Apprehenſion of Danger; from which public Aims and Reſolutions no miniſter or private Reſpect ſhall ever make us to decline; that your Majeſty will leave Delinquents to the due Courſe of Juſtice; and that nothing done or ſpoken in Parliament, or by any Perſon in purſuance of the Command and Direction of both Houſes of Parliament, be queſtioned any where but in Parliament.

And we, for our Parts, ſhall be ready to lay down all thoſe Preparations which we have been forced to make for our Defence. And for the Town of Hull, *and the* Ordinance *concerning the* Militia; *as we have, in both theſe Particulars, only ſought the Preſervation of the Peace of the Kingdom, and the Defence of the Parliament from Force and Violence; ſo we ſhall moſt willingly leave the Town of* Hull *in the State it was before Sir* John Hotham *drew any Forces into it, delivering your Majeſty's Magazine into the* Tower *of* London, *and ſupplying whatſoever hath been diſpoſed of by us for the Service of the Kingdom. We ſhall be ready to ſettle the* Militia *by a Bill, in ſuch a Way as ſhall be honourable and ſafe for your Majeſty, moſt agreeable to the Duty of Parliament, and effectual for the Good of the Kingdom; that the Strength thereof be not employed againſt itſelf, and that which ought to be for our Security applied to our Deſtruction: And that the Parliament, and thoſe who profeſs and deſire ſtill to preſerve the* Proteſtant *Religion, both in this Realm and in* Ireland, *may not be left naked and indefenſible to the miſchievous Deſigns and cruel Attempts of thoſe who are the profeſs'd and confederated Enemies thereof, in your Majeſty's Dominions and other neighbouring Nations: To which if your Majeſty's Courſes and Counſels ſhall, from henceforth, concur, we doubt not but we ſhall quickly make it appear to the World, by the moſt eminent*

nent Effects of Love and Duty, That your Majeſty's perſonal Safety, your Royal Honour and Greatneſs, are much dearer to us than our own Lives and Fortunes; which we do moſt heartily dedicate, and ſhall moſt willingly employ for the Support and Maintenance thereof.

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The King's Anſwer to the Parliament's Committee;

As ſoon as this *Petition* was read by the Earl of *Holland*, the King told the Committee, 'The Reproaches, caſt upon him by it, were not anſwerable to the Expreſſions his Lordſhip had made; and that he was ſorry that they thought the Expoſing him and his Honour to ſo much Scandal, was the Way to procure or preſerve the Peace of the Kingdom; that they ſhould ſpeedily receive his *Anſwer*; by which the World would eaſily diſcern who deſired Peace moſt.' And, accordingly, the ſecond Day, his Majeſty delivered them, in public, his *Anſwer* to their *Petition*; which was likewiſe read, by one of his Servants, in theſe Words:

His MAJESTY's ANSWER *to the* PETITION *of the* LORDS *and* COMMONS *aſſembled in Parliament.*

And to the Petition.

'THough his Majeſty had no great Reaſon to believe, that the Directions ſent to the Earl of *Warwick* to go to the River of *Humber*, with as many Ships as he ſhould think fit, for all poſſible Aſſiſtance to Sir *John Hotham*, (whilſt his Majeſty expected the giving up of the Town unto him) and to carry away ſuch Arms from thence as his Diſcretion thought fit to ſpare out of his Majeſty's own Magazine: The chuſing a General by both Houſes of Parliament, for the Defence of thoſe who have obeyed their Orders and Commands, be they never ſo extravagant and illegal: Their *Declaration, That, in that Cauſe, they would live and die with the Earl of* Eſſex *their General*, all which were *voted* the ſame Day with this *Petition:* And the committing the Lord Mayor of *London* to Priſon for executing his Majeſty's Writs and lawful Commands, were but ill Pro-

An. 18. Car. I. 1642. July. ‘ Prologues to a *Petition* which might compoſe the ‘ miſerable Diſtractions of the Kingdom: Yet his ‘ Majeſty's paſſionate Deſire of the Peace of the ‘ Kingdom, together with the Preface of the Pre- ‘ ſenters, *That they had brought a* Petition *full of* ‘ *Duty and Submiſſion to his Majeſty, and which* ‘ *deſired nothing of him but his Conſent to Peace,* ‘ (which his Majeſty conceived to be the Language ‘ of both Houſes too) begot a greedy Hope and Ex- ‘ pectation in him, that this *Petition* would have ‘ been ſuch an Introduction to Peace, that it would ‘ at leaſt have ſatisfied his *Meſſage* of the eleventh ‘ of this Month, by delivering up of *Hull* to his ‘ Majeſty.

‘ But, to his unſpeakable Grief, his Majeſty hath ‘ too much Cauſe to believe, that the End of ſome ‘ Perſons by this *Petition* is not, in Truth, to give ‘ any real Satisfaction to his Majeſty; but, by the ‘ ſpecious Pretences of making Offers to him, to ‘ miſlead and ſeduce his People, and lay ſome Im- ‘ putation upon him of denying what is fit to be ‘ granted; otherwiſe it would not have thrown ‘ thoſe unjuſt Reproaches and Scandals upon his ‘ Majeſty, for making a neceſſary and juſt Defence ‘ for his own Safety; and ſo peremptorily juſtified ‘ ſuch Actions againſt him, as, by no Rule of Law ‘ or Juſtice, can admit the leaſt Colour of Defence; ‘ and, after ſo many free and unlimited Acts of ‘ Grace paſſed by his Majeſty, without any Con- ‘ dition, have propoſed ſuch Things which, in Ju- ‘ ſtice, cannot be denied unto him, upon ſuch Con- ‘ ditions as, in Honour, he cannot grant.

‘ However, that all the World may ſee how ‘ willing his Majeſty would be to embrace any O- ‘ verture that might beget a right Underſtanding ‘ between him and his two Houſes of Parliament, ‘ (with whom he is ſure he ſhall have no Conten- ‘ tion, when the private Practices and ſubtle In- ‘ ſinuations of ſome few Malignant Perſons ſhall ‘ be diſcovered, (which his Majeſty will take Care ‘ ſhall be ſpeedily done) he hath, with great Care, ‘ weighed

'weighed the Particulars of this *Petition*, and re- An. 18. Car. I. 1642.
'turns this *Anſwer*: July.

'That the Petitioners were never unhappy in 'their *Petitions* or *Supplications* to his Majeſty, 'while they deſired any Thing which was neceſ- 'ſary or convenient for *the Preſervation of God's* 'true Religion, his Majeſty's Safety and Honour, and 'the Peace of the Kingdom; and therefore, when 'thoſe general envious Foundations are laid, his 'Majeſty could wiſh ſome particular Inſtances had 'been applied. Let Envy and Malice object one 'particular *Propoſition* for the Preſervation of *God's* 'true Religion, which his Majeſty hath refuſed to 'conſent to; what himſelf hath often made for the 'Eaſe of tender Conſciences, and for the Advance- 'ment of *the Proteſtant Religion*, is notorious by 'many of his *Meſſages* and *Declarations*: What Re- 'gard hath been to his Honour and Safety, when 'he hath been driven from ſome of his own Houſes, 'and kept out of his own Towns by Force: And 'what Care there hath been of *the Peace of the* 'Kingdom, when Endeavour hath been uſed to put 'all his Subjects in Arms againſt him, is ſo evident, 'that his Majeſty is confident he cannot ſuffer by 'thoſe general Imputations: It is enough that the 'World knows what he hath granted, and what he 'hath denied.

'For his Majeſty's raiſing Forces, and making 'Preparations for War, (whatſoever the Petitioners, 'by the evil Arts of the Enemies to his Majeſty's 'Perſon and Government, and by the Calumnies 'and Slanders raiſed againſt his Majeſty by them, 'are induced to believe) all Men may know what 'is done that Way, is but in order to his own 'Defence.

'Let the Petitioners remember that (which all 'the World knows) his Majeſty was driven from 'his Palace of *Whitehall*, for Safety of his Life: 'That both Houſes of Parliament, upon their own 'Authority, raiſed a Guard to themſelves (having 'gotten the Command of all the Train'd Bands of *Lon-*

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'*London* to that Purpoſe) without the leaſt Colour 'or Shadow of Danger: That they uſurped a Power, 'by their pretended *Ordinance*, (againſt all Princi-'ples and Elements of Law) over the whole *Mi-'litia* of the Kingdom, without and againſt his 'Majeſty's Conſent: That they took Poſſeſſion of 'his Town, Fort, and Magazine of *Hull*, and 'committed the ſame to Sir *John Hotham*, who 'ſhut the Gates againſt his Majeſty; and, by Force 'of Arms, denied Entrance thither to his own Per-'ſon: That they juſtified this Act, which they had 'not directed; and took Sir *John Hotham* into their 'Protection for whatſoever he had done, or ſhould 'do, againſt his Majeſty; and all this, whilſt his 'Majeſty had no other Attendance than his own 'menial Servants.

'Upon this the Duty and Affection of this Coun-'ty prompted his Subjects, here, to provide a ſmall '*Guard* for his own Perſon; which was no ſooner 'done, but a *Vote* ſuddenly paſſed of *his Majeſty's 'Intention to levy War againſt his Parliament*; 'which, God knows, his Heart abhorreth: And, 'notwithſtanding all his Majeſty's *Profeſſions*, *De-'clarations*, and *Proteſtations* to the contrary, ſe-'conded by the clear *Teſtimony* of ſo great a Num-'ber of Peers upon the Place, *Propoſitions* and *Or-'ders* for Levies of Men, Horſe, and Arms, were 'ſent throughout the Kingdom; Plate and Money 'brought in and received; Horſe and Men raiſed 'towards an Army, muſtered and under Command; 'and all this contrary to the Law and to his Ma-'jeſty's *Proclamation*: And a *Declaration* publiſhed, '*That if he ſhould uſe Force for the Recovery of* Hull, '*or ſuppreſſing the pretended* Ordinance *for the* Mi-'litia, *it ſhould be held levying War againſt the Par-'liament*; and all this done before his Majeſty 'granted any *Commiſſion* for the levying or rai-'ſing a Man: His Majeſty's Ships were taken from 'him, and committed to the Cuſtody of the Earl 'of *Warwick*; who preſumes, under that Power, to 'uſurp to himſelf the Sovereignty of the Sea, to

'chaſe

'chaſe, fright, and impriſon ſuch of his Majeſty's 'good Subjects as deſire to obey his lawful Com- 'mands; although he had Notice of the legal Re- 'vocation of the Earl of *Northumberland*'s Com- 'miſſion of Admiral, whereby all Power derived 'from that Commiſſion ceaſed. An. 18. Car. I. 1642. July.

'Let all the World now judge who began this 'War, and upon whoſe Account the Miſeries which 'may follow muſt be caſt: What his Majeſty could 'have done leſs than he hath done, and whether he 'were not compelled to make Proviſion both for 'the Defence of himſelf, and Recovery of what is 'ſo violently and injuriouſly taken from him: And 'whether theſe Injuries and Indignities are not juſt 'Grounds for his Majeſty's Fears and Apprehenſions 'of farther Miſchief and Danger to him.

'Whence the Fears and Jealouſies of the Peti- 'tioners have proceeded hath never been diſcovered: 'The Dangers they have brought upon his good 'Subjects are too evident: What thoſe are they 'have prevented, no Man knows; and therefore 'his Majeſty cannot but look upon that Charge, 'as the boldeſt and the moſt ſcandalous that hath 'been yet laid upon him, *That this neceſſary Pro- 'viſion, made for his own Safety and Defence, is to 'over-rule the Judgment and Advice of his great 'Council; and, by Force, to determine the Queſtions 'there depending concerning the Government and Li- 'berty of the Kingdom.* If no other Force had been 'raiſed to determine thoſe Queſtions than by his 'Majeſty, this unhappy Miſunderſtanding had not 'been. And his Majeſty no longer deſires the Bleſ- 'ſing and Protection of Almighty God upon him- 'ſelf and his Poſterity, than he and they ſhall, ſo- 'lemnly, obſerve the due Execution of the Laws, 'in the Defence of Parliaments, and the juſt Free- 'dom thereof.

'*For the Forces about* Hull; his Majeſty will re- 'move them when he hath obtained the End for 'which they were brought thither. When *Hull* 'ſhall be reduced again to his Subjection, he will 'no longer have an Army before it: And when he

'ſhall

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'ſhall be aſſured that the ſame Neceſſity and Pre-
'tence of Public Good, which took *Hull* from him,
'may not put a Garriſon into *Newcaſtle*, to keep
'the ſame againſt him, he will remove his from
'thence, and from *Tinmouth*; till when, the Ex-
'ample of *Hull* will not out of his Memory.

'*For the Commiſſions of* Array, which are legal,
'and are ſo proved by a *Declaration* now in the
'Preſs; his Majeſty wonders why they ſhould, at
'this Time, be thought grievous, and fit to be re-
'called: If the Fears of Invaſion and Rebellion be
'ſo great, that, by an illegal pretended *Ordinance*, it
'is neceſſary to put his Subjects into a Poſture of
'Defence, to array, train, and muſter them, he
'knows not why the ſame ſhould not be done in a
'regular, known, and lawful Way: But if, in the
'Execution of that *Commiſſion*, any Thing ſhall
'be unlawfully impoſed upon his Subjects, his Ma-
'jeſty will take all juſt and neceſſary Care for their
'Redreſs.

'*For his Majeſty's coming nearer to his Parliament*;
'his Majeſty hath expreſſed himſelf ſo fully in his
'ſeveral *Meſſages*, *Anſwers*, and *Declarations*; and
'ſo particularly avowed a real Fear of his Safety,
'upon ſuch Inſtances as cannot be anſwered, that
'he hath Reaſon to think himſelf ſomewhat neglect-
'ed; that ſince, upon ſo manifeſt Reaſons, it is
'not ſafe for his Majeſty to come to them, both his
'Houſes of Parliament will not come nearer to his
'Majeſty, or to ſuch a Place where the Freedom
'and Dignity of Parliament might be preſerved.

'However, his Majeſty ſhall be very glad to hear
'of ſome ſuch Example in their puniſhing the Tu-
'mults (which he knows not how to expect, when
'they have declared, *That they knew not of any*
'*Tumults*, though the Houſe of Peers deſired, both
'for the Dignity and Freedom of Parliament, That
'the Houſe of Commons would join with them
'in a *Declaration* againſt Tumults, which they re-
'fuſed, that is, neglected to do) and other ſeditious
'Actions, Speeches, and Writings, as may take
'that Apprehenſion of Danger from him; though,
'when

'when he remembers the particular Complaints 'himſelf hath made of Buſineſſes of that Nature, 'and that inſtead of inquiring out the Authors, Ne- 'glect of Examination hath been; when Offer hath 'been made to both Houſes to produce the Authors, 'as in that treaſonable Paper concerning the *Mili-* 'tia; and when he ſees every Day Pamphlets publi- 'ſhed againſt his Crown, and againſt Monarchy it- 'ſelf, (as the *Obſervations* upon his late *Meſſages*, 'Declarations, and *Expreſſes*) and ſome *Declarations* 'of their own, which give too great Encouragement 'in that Argument to ill-affected Perſons; his Ma- 'jeſty cannot, with Confidence, entertain thoſe 'Hopes which would be moſt welcome to him.

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'*For the leaving Delinquents to the due Courſe of* '*Juſtice*; his Majeſty is moſt aſſured he hath been 'no Shelter to any ſuch: If the Tediouſneſs and 'Delay in Proſecution, the vaſt Charge in Officers 'Fees, the keeping Men under a general Accuſa- 'tion without Trial a whole Year and more, and 'ſo allowing them no Way for their Defence and 'Vindication, have frighted Men away from ſo 'chargeable and uncertain an Attendance; the Re- 'medy is beſt provided where the Diſeaſe grew. 'If the Law be the Meaſure of Delinquency, none 'ſuch are within his Majeſty's Protection: But if, 'by Delinquents, ſuch are underſtood who are made 'ſo by *Vote*, without any Treſpaſs upon any known 'or eſtabliſhed *Law*: If, by Delinquents, the Nine 'Lords are underſtood, who are made Delinquents 'for obeying his Majeſty's *Summons* to come to him, 'after their Stay there was neither ſafe nor honour- 'able, by reaſon of the Tumults and other Vio- 'lences; and whoſe Impeachment, he is confi- 'dent, is the greateſt Breach of Privilege, that, be- 'fore this Parliament, was ever offered to the Houſe 'of Peers: If, by Delinquents, ſuch are underſtood 'who refuſe to ſubmit to the pretended *Ordinance* 'of the *Militia*, to that of the *Navy*, or to any 'other which his Majeſty hath not conſented to; 'ſuch who, for the Peace of the Kingdom, in an 'humble Manner, prepare *Petitions* to him, or to

'both

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'both Houſes, as his good Subjects of *London* and '*Kent* did; whilſt ſeditious ones, as that of *Eſſex*, 'and other Places, are allowed and cheriſhed: If, 'by Delinquents, ſuch are underſtood, who are call-'ed ſo for publiſhing his *Proclamations*, as the 'Lord Mayor of *London*; or for reading his *Meſ-'ſages* and *Declarations*, as divers Miniſters about '*London* and elſewhere; when thoſe againſt him are 'diſperſed with all Care and Induſtry, to poiſon 'and corrupt the Loyalty and Affection of his 'People: If, by Delinquents, ſuch are underſtood, 'who have or ſhall lend his Majeſty Money, in the 'Univerſities, or in any other Places; his Majeſty 'declares to all the World, That he will protect 'ſuch with his utmoſt Power and Strength; and 'directs, That, in theſe Caſes, they ſubmit not to 'any Meſſengers or Warrants of Parliament; it be-'ing no leſs his Duty to protect thoſe who are in-'nocent, than to bring the Guilty to condign Pu-'niſhment; of both which the Law is to be Judge.

'And if both Houſes do think fit to make a Ge-'neral, and to raiſe an Army for the Defence of 'thoſe who obey their Orders and Commands; 'his Majeſty muſt not ſit ſtill, and ſuffer ſuch who 'ſubmit to his juſt Power, and are ſolicitous for 'the Laws of the Land, to periſh and be undone, 'becauſe they are called Delinquents: And when 'they ſhall take upon them to diſpence with the 'Attendance of thoſe who are called by his Ma-'jeſty's Writ, whilſt they ſend them to Sea to rob 'his Majeſty of his Ships; or into the ſeveral 'Counties, to put his Subjects in Arms againſt him, 'his Majeſty (who only hath it) will not loſe the 'Power to diſpence with them to attend his own 'Perſon, or to execute ſuch Offices as are neceſſary 'for the Preſervation of himſelf and the Kingdom; 'but muſt protect them though they are called De-'linquents.

'*For the Manner of the Proceeding againſt Delin-'quents*; his Majeſty will proceed againſt thoſe 'who have no Privilege of Parliament, or in ſuch 'Caſes where no Privilege is to be allowed, as he 'ſhall

'ſhall be adviſed by his learned Counſel, and accord- An. 18. Car. I.
'ing to the known and unqueſtionable Rules of the 1642.
'Law; it being unreaſonable that he ſhould be July.
'compelled to proceed againſt thoſe who violated
'the known and undoubted Law, only before them
'who have directed ſuch Violation.

'Having ſaid thus much to the Particulars of the
'*Petition*, though his Majeſty hath Reaſon to com-
'plain, That, ſince the ſending this *Petition*, they
'have beaten their Drums for Soldiers againſt him;
'armed their own General with a Power deſtruc-
'tive to the Law and Liberty of the Subjects, and
'choſen a General of their Horſe: His Majeſty,
'out of his Princely Love, Tenderneſs, and Com-
'paſſion of his People, and Deſire to preſerve the
'Peace of the Kingdom, that the whole Force and
'Strength of it may be united for the Defence of
'itſelf, and the Relief of *Ireland*, (in whoſe Behalf
'he conjures both his Houſes of Parliament, as they
'will anſwer the contrary to Almighty God, to
'his Majeſty, to thoſe that truſt them, and to that
'bleeding miſerable Kingdom, that they ſuffer not
'any Monies granted and collected by Act of Par-
'liament, to be diverted or employed againſt his
'Majeſty, whilſt his Soldiers in that Kingdom are
'ready to mutiny, or periſh, for want of Pay, and
'the barbarous Rebels prevail by that Encourage-
'ment) is graciouſly pleaſed, once more, to propoſe
'and require:

1*ſt*. 'That his Town of *Hull* be, immediately,
'delivered up to him; which being done (tho' his
'Majeſty hath been provoked by unheard-of Inſo-
'lences of Sir *John Hotham*, ſince his burning and
'drowning the Country, in ſeizing his Wine and
'other Proviſions for his Houſe; and ſcornfully
'uſing his Servants, whom he ſent to require them,
'ſaying, *It came to him by* Providence, *and he will*
'*keep it*; and ſo refuſing to deliver it, with Threats
'if he, or any other of his Fellow-Servants, ſhould
'again repair to *Hull* about it; and in taking and
'detaining Priſoners divers Gentlemen, and others,
'in their Paſſage over the *Humber* into *Lincolnſhire*,
'about

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'about their neceſſary Occaſions; and ſuch other 'Indignities, as all Gentlemen muſt reſent in his 'Majeſty's Behalf) his Majeſty, to ſhew his earneſt 'Deſire of Peace, for which he will diſpence with 'his own Honour; and how far he is from Deſire 'of Revenge, will grant a free and general Pardon 'to all Perſons within that Town.

2*dly*, 'That his Majeſty's Magazine, taken from '*Hull*, be forthwith put into ſuch Hands as he ſhall 'appoint.

3*dly*, 'That his Navy be forthwith delivered in-'to ſuch Hands as he hath directed for the Govern-'ment thereof: The detaining thereof, after his 'Majeſty's Directions publiſhed and received to the 'contrary, and employing his Ships againſt him, in 'ſuch Manner as they are now uſed, being noto-'rious High Treaſon in the Commanders of thoſe 'Ships.

4*thly*, 'That all Arms, Levies, and Proviſions 'for a War, made by the Conſent of both Houſes, '(by whoſe Example his Majeſty hath been forced 'to make ſome Preparations) be immediately laid 'down; and the pretended *Ordinance* for the *Mi-'litia*, and all Power of impoſing Laws upon the 'Subject, without his Majeſty's Conſent, be diſ-'avowed; without which, the ſame Pretence will 'remain to produce the ſame Miſchief; all which 'his Majeſty may as lawfully demand, as to live; 'and can with no more Juſtice be denied him, than 'his Life may be taken from him.

'Theſe being done, and the Parliament adjourn'd 'to a ſafe and ſecure Place, his Majeſty promiſes in 'the Preſence of God, and binds himſelf by all his 'Confidence and Aſſurance in the Affection of his 'People, That he will inſtantly, and moſt chear-'fully, lay down all the Force he ſhall have raiſed, 'and diſcharge all his future and intended Levies, 'that there may be a general Face of Peace over 'the whole Kingdom, and will repair to them; 'and deſires that all Differences may be freely de-'bated in a Parliamentary Way, whereby the Law 'may recover its due Reverence, the Subject his 'juſt

'juſt Liberty, and Parliaments themſelves their full 'Vigour and Eſtimation; and ſo the whole King- 'dom, a bleſſed Peace, Quiet, and Proſperity. An. 18. Car. I. 1642. July.

'If theſe *Propoſitions* ſhall be rejected his Majeſty 'doubts not of the Protection and Aſſiſtance of Al- 'mighty God, and the ready Concurrence of his 'good Subjects; who can have no Hope left them 'of enjoying their own long, if their King may 'be oppreſſed and ſpoiled, and muſt be remedileſs. 'And though his Towns, his Ships, his Arms, and 'his Money be gotten and taken from him, he 'hath a good Cauſe left, and the Hearts of his 'People; which, with God's Bleſſing, he doubts 'not, will recover all the reſt.

'*Laſtly*, If the Preſervation of the *Proteſtant* 'Religion, the Defence of the Liberty and Law 'of the Kingdom, the Dignity and Freedom of 'Parliament, and the Recovery and Relief of 'bleeding and miſerable *Ireland*, be equally precious 'to the Petitioners, as they are to his Majeſty, (who 'will have no Quarrel but in Defence of theſe) 'there will be a chearful and ſpeedy Conſent to 'what his Majeſty hath now propounded and de- 'ſired.

'And of this his Majeſty expects a full and po- 'ſitive *Anſwer* by *Wedneſday* the 27th Day of *July* 'Inſtant; till when he will not make any Attempt 'of Force upon *Hull*, hoping in the Affection, Du- 'ty, and Loyalty of the Petitioners; and, in the 'mean Time, expects that no Supply of Men be 'put into *Hull*, or any of his Majeſty's Goods 'taken from thence.'

Lord *Clarendon* adds, 'That when his Majeſty's *Anſwer* (which had before been conſented to, and approved in the full Aſſembly of the Peers and Counſellors) was read publickly, it was generally thought that the King had not enough reſented the Inſolence and Uſurpation of the Parliament, or appeared ſenſible enough of the Provocation; yet the Thought of a War, which wiſe Men ſaw actually levied upon the King already, was ſo much abhor-

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red, and Men were ſo credulous of every Expedient which was pretended for Peace, that, by the next Morning, (the *Anſwer* being delivered in the Evening) theſe active Meſſengers for the Parliament perſuaded many, 'That the King's *Anſwer* was 'too ſharp, and would provoke the Houſes, who 'were naturally paſſionate, to proceed in the high 'Ways they were in; whereas, if the King would 'abate that Severity of Language, and would yet 'take off the Preamble of his *Anſwer*, they were 'confident, and the Earl of *Holland* privately of-'fered to undertake, that Satisfaction ſhould be 'given to all that his Majeſty propoſed.' And, by this Means, ſome were ſo far wrought upon, as they earneſtly importuned the King, 'That he 'would take his *Anſwer*, which he had publickly 'delivered the Night before, from the Meſſengers; 'and, inſtead thereof, return only the Matter of 'his own *Propoſitions*, in the moſt ſoft and gentle 'Language, without the Preamble, or any Men-'tion of the unjuſtifiable and unreaſonable De-'meanour of the Parliament towards him.' *(n)*

The King adviſed to ſoften his Anſwer.

But his Majeſty replied, 'That he had for a 'long Time, even after great Provocations, and 'their firſt general *Remonſtrance* to the People, 'treated with all imaginable Compliance and Le-'nity of Words with them; and diſcovered their 'unjuſtifiable and extravagant Proceedings with and 'againſt him, and the Conſequences that would in-'evitably

His Reaſons for refuſing to do ſo.

(n) The Noble Hiſtorian tells us, in another Place, 'That the Earl of *Holland*, having been nothing pleaſed with his own Condition at *London*, finding the Earl of *Eſſex* (whom he did not ſecretly love, and did indeed contemn) to draw all Men's Eyes towards him, and to have the greateſt Intereſt in their Hearts, he had ſeriouſly intended, under Colour of this *Meſſage* to the King, to diſcover if there were any Sparks yet left in his Royal Breaſt, which might be kindled into Affection, or Acceptation of his Service; and hoped, if he could get any Credit, to redeem his former Treſpaſſes: But when he not only found his Majeſty cold towards him, but eaſily enough diſcerned, by his Reception, that all former Inclinations were dead, and more than ordinary Prejudices grown up towards him in their Places, and that his Advices were rejected, he returned with Rancour equal to the moſt furious he went to; and heartily joined and concurred towards the ſuppreſſing that Power, in the Adminiſtration whereof he was not like to bear any Part.' *Ibid.* p. 696.

'evitably attend their Progreſs in them, with ſuch tender Expreſſions as if he believed whatever was amiſs to proceed from Miſinformation only, and unſkilful Miſtakes: That this Gentleneſs and Regard of his, was ſo far from operating upon them, that their Inſolence and Irregularities encreaſed; and it might be from that Reaſon that their *Meſſages* and *Declarations* were writ in ſo high a Dialect, and with that Sovereignty of Language, as if he were ſubject to their Juriſdiction; and did not know but it might have ſome Influence upon his People to his Diſadvantage; that is, raiſe Terror towards them, and leſſen their Reverence towards his Majeſty, when all their *Petitions* and *Propoſitions* were more imperative than his juſt and neceſſary Refuſals: Which Condeſcenſion his Majeſty had brought himſelf to, in hope that his Example, and their natural Shame, would have reformed that new Licence of Words: That this laſt *Addreſs*, under the Name of a *Petition*, (a few Days after they had violently raviſhed his whole Fleet from him, and prepared the ſame Day that they had choſen a General, to whom they had ſworn Allegiance, to lead an Army againſt him) contained a peremptory Juſtification of whatſoever they had done, and as peremptory a Threatning of whatſoever they could do; and therefore, (if he ſhould now retract his *Anſwer*, which had been ſolemnly conſidered in Council before all the Peers, and which, in truth, implied rather a Princely Reſentment of the Indignities offered to him, than flow'd with any ſharp and bitter Expreſſions) he ſhould, by ſuch Yielding, give Encouragement to new Attempts; and could not but much diſcourage thoſe upon whoſe Affections and Loyalty he was principally to depend, who could not think it ſafe to raiſe themſelves to an Indignation on his Behalf, when he expreſſed ſo tender or ſo little Senſe of his own Sufferings: Beſides, that he was then upon an avowed hoſtile Enterprize for the Reduction of *Hull*; towards which he was to uſe all poſſible

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'Means to draw a Force together, equal to that 'Deſign; and by ſuch a Retraction as this pro- 'poſed, and a ſeeming Declenſion of his Spirit, and 'depending upon their good Natures who had done 'all this Miſchief, he ſhould not only be inevitably 'diſappointed of the Reſort of new Strength, but, 'probably, deſerted by thoſe few whom he had 'brought together: That he could not reaſonably, 'or excuſably, depend upon the Undertaking of 'the Earl of *Holland*, who had ſo groſly deceived 'him in other Undertakings, which were immedi- 'ately in his own Power to have performed; where- 'as neither he, nor either of the other two Gentle- 'men who were joined with him in this Employ- 'ment, had ſo much Intereſt with the active and 'prevailing Party, as to know more of their Inten- 'tions than was at preſent neceſſary to be diſco- 'vered for their Concurrence.'

He ſaid, 'That he had never yet conſented to 'any one Particular ſince the Beginning of this 'Parliament, by which he had received Prejudice, 'at the Doing whereof he had not the ſolemn Un- 'dertakings and Promiſes of thoſe who were much 'abler to juſtify their Undertakings than the Earl of '*Holland*; and upon whom he only depended, that 'it ſhould be no Diſſervice to him, and would be 'an infallible Means to compaſs all that his Majeſty 'deſired: But he had always found thoſe Promiſers 'and Undertakers, though they could eminently 'carry on any Counſel, or Concluſion, that was 'againſt Law, Juſtice, or his Right, had never 'Power to reduce, or reſtrain, thoſe Agitations 'within any Bounds of Sobriety and Moderation: 'And when they found that many would not be 'guided by them, that they might ſeem ſtill to lead, 'themſelves as furiouſly followed the others, and 'reſorted again to his Majeſty with ſome new Ex- 'pedient as deſtructive as the former: So that he 'was reſolved to rely upon God Almighty, and 'not ſo much to depend upon what might poſſibly 'prevail upon the Affections of thoſe from whom, 'reaſonably, he could not expect any Good, as

'upon

'upon ſuch plain and avowed Courſes, as, let the 'Succeſs be what it would, muſt, to all judging 'Men, appear to be prudently and honourably re- 'lied on: And therefore he poſitively refuſed to 'make the leaſt Alteration in his *Anſwer*.' An. 18. Car. I. 1642. July.

But to return to the Parliament:——

The ſame Day (*July* 20) that the Lords received the foregoing Letter from the Earl of *Holland*, an *Order* was made, and agreed to by both Houſes, againſt the Commiſſion of *Array*, which was to be publiſhed by the Judges, in their ſeveral Circuits, at the approaching Aſſizes. But it contains no more than a Declaration of the Illegality of that Commiſſion; and an Inhibition to all Sorts of People from putting the ſame in Execution, under Pain of being eſteemed Diſturbers of the Peace, and Betrayers of the Liberty of the Subject. The Judges required to publiſh the Illegality of the King's Commiſſion of Array.

The Lords being all ſet in their Robes, and the Houſe of Commons, with their Speaker, come up, he ſaid, 'The Knights, Citizens and Burgeſſes of the Houſe of Commons, having impeached *Spencer* Earl of *Northampton*, *William* Earl of *Devonſhire*, *Henry* Earl of *Dover*, *Henry* Earl of *Monmouth*, *Charles* Lord *Howard* of *Charlton*, *Robert* Lord *Rich*, *Charles* Lord *Grey* of *Ruthyn*, *Thomas* Lord *Coventry*, and *Arthur* Lord *Capel*, for High Crimes and Miſdemeanors, to the Interruption of the Proceedings of Parliament, and Diſturbance of the Peace of the Kingdom, the Houſe of Commons had commanded him to demand their Lordſhips Judgment thereupon. Then the Lord *Kimbolton*, Speaker of the Houſe of Lords for that Day, pronounced Sentence againſt the ſaid Nine Lords, as follows: (*o*)

1. *That they ſhall not ſit, or vote, in the Lords Houſe during this preſent Parliament.*

2. *That they ſhall not enjoy the Privileges of Parliament as Members thereof.* The Sentence pronounced upon the Nine impeach'd Lords then at York.

(*o*) Ever ſince the Lord Keeper *Littleton* left the Houſe of Lords, the Speaker's Place was filled by ſome one of the Peers preſent.

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3. *That they ſhall ſtand committed to the* Tower *during the Pleaſure of this Houſe.*

July.

July 21. The Sheriffs of *London* acquainted the Lords, That divers *Proclamations* were ſent to them to be proclaimed; and, the Lord Mayor being committed, they thought it their Duty to receive the Directions of the Houſe therein, for they cannot proclaim them, becauſe the Mace is with the Lord Mayor. The one was the King's *Proclamation*, declaring his Purpoſe to go in Perſon to *Hull:* The other againſt the Parliament's ſeizing the Magazines of the Counties. *Ordered*, That theſe *Proclamations* be left with the Clerk of Parliament; and that Thanks be given to the Sheriffs for bringing in thoſe *Proclamations*; and they were commanded to do ſo for the future.

Further Proceedings againſt the Lord Mayor of London.

A Certificate from the Aldermen of *London*, concerning the Election of a *Locum-tenens*, in the Room of the Lord Mayor, was preſented and read, importing, 'That they had met together according to the Direction, and on the Day prefix'd by the Houſe; and that having call'd unto them the City Counſel, and others experienced in the Cuſtoms and Charters of the ſaid City, and, after diligent Search of their Records, they did humbly certify, That it did not appear that ever, at any Time, the Aldermen had made Choice of a *Locum tenens* to execute the Office of a Lord Mayor: But they found, That, in the Time of a Lord Mayor's Sickneſs, he being within the Franchiſe, there had been a *Locum-tenens* appointed by himſelf, the Sword ſtill remaining with him; all which they humbly preſented, *&c.*' Signed by fifteen Aldermen.

July 22. The Lord Mayor was brought again before the Lords; and a Committee of the Commons being come up, as Managers againſt him, Mr. Serjeant *Wylde* deſired, in Behalf of the whole Houſe of Commons, that the two Impeachments of him might be read; and, after reading the Lord Mayor's Anſwers to them, the Serjeant proceeded and ſaid,

'That

'That this Lord Mayor was a Perſon great and eminent, and of great Power and Authority in his Place; that he was one of the greateſt Offenders of all his Predeceſſors, and was a great Burden and Nuſance to the Common-wealth: That he had practiſed and attempted thoſe Arts which tended to the Undoing of the City, and therein the Kingdom. The Matter of Impeachment was ſo great, that it could not be raiſed higher. He knew there was a *Vote* in this Houſe, declaring, That the Commiſſion of *Array* was illegal and of dangerous Conſequence, yet he commanded it to be, contemptuouſly and ſeditiouſly, proclaimed. An. 18. Car. I. 1642. July.

'The Matter of the ſecond Charge was, Endeavouring and countenancing a *Counter-Petition* againſt ſettling the *Ordinance* for the *Militia*, tho' it was conſented to by the Common Council and himſelf; yet he drew in others, ill-affected, to petition the King and both Houſes againſt it, to ſet a Diviſion between the King and his People.

'He, ſeeking to ſuppreſs an honeſt and good *Petition* for the *Militia*, got it into his Hands; and, on a *Sunday*, committed ſome Perſons to Priſon, and vilified them with reproachful Speeches, impriſoning others in his own Houſe. That,

'When there were Riots in *Cheapſide*, he refuſed to keep the Peace, and cauſed Perſons to be beat there; and ſuffered thoſe that called themſelves *Defenders of the Croſs*, to commit Tumults, without any Puniſhment.

'That he hath neglected the Statute of *Hen.* IV. concerning Riots, contrary to his Oath as Lord Mayor and a Juſtice of the Peace: That he kept the Examinations, in this Cauſe, himſelf, and would not publiſh them to thoſe that deſired it.

'And, *laſtly*, he refuſed to call a Common Council in *London*, notwithſtanding he was required to do it by *Order* of both Houſes of Parliament.'

Then the Serjeant proceeded to call two Witneſſes, two of the Lord Mayor's Officers, to prove he gave Orders to publiſh the *Proclamation* concerning the *Commiſſion* of *Array*, after the *Votes* of Parliament

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liament were publiſhed, That the ſaid *Commiſſion* was illegal. And, as to the Matter of the ſaid Impeachment, he ſaid,

'That the Lord Mayor did give Directions for the Drawing and Framing of the *Petition* againſt the *Militia Ordinance*; which was after the ſame was given to the City, and accepted by them; which was to ſet Diviſion between the King and Parliament. To prove this the Serjeant deſired, That the Depoſition of Mr. *Thomas Wiſeman*, taken formerly before the Committee of both Houſes, in Mr. *Benyon*'s Cauſe, might be made Uſe of; Affidavit being made, on Oath, That he had been ſerved with an *Order* of this Houſe, to appear this Day, but he was gone out of Town.'

On this Mr. *Herne*, Counſel for the Lord Mayor, objected againſt the Reading of the ſaid Depoſition, being taken in another Cauſe; and thereby they would loſe the Benefit of Croſs-Examination. The Committee of the Commons excepted againſt the Pleading of Counſel, at the Bar, to confront the ſaid Committee, who did repreſent the whole Houſe, without asking Leave. Upon which the Counſel deſired their Lordſhips Directions how they ſhould demean themſelves. Both Sides being ordered to withdraw, whilſt the Lords debated this Matter; and, being called in again, Mr. *Herne* was told, 'That the Houſe took it not well that he ſhould interrupt the Members of the Houſe of Commons, without aſking Leave of this Houſe; and that he take Warning of it for the future.'

Then the Committee of Commons were told, 'That the Lords had deferred the further Hearing of this Cauſe till *Monday* next the 25th Inſtant; at which Time the Witneſs, Mr. *Wiſeman*, was to be produced, *viva Voce*, elſe the Lords would proceed therein.'

July 23. Many were the Indemnities granted by Parliament, about this Time, to Counties, and ſome particular Cities, Towns, and Perſons, for executing their *Ordinance* of *Militia* with Vigour, notwithſtanding

withſtanding the King's *Commiſſion* of *Array*, and his poſitive Inhibitions to the contrary. And, An. 18. Car. I. 1642. July.

This Day a Copy of a *Letter* from the King to the Honourable *Henry Haſtings*, Eſq; High Sheriff of the County of *Leiceſter*, was read; wherein, after giving him Thanks for his faithful Endeavours to preſerve his Majeſty's Royal and Legal Authority, he enjoins him to uſe his Power in apprehending the Earl of *Stamford*; who, he ſaid, by Force, and under Pretence of Authority, by the pretended *Ordinance* of the two Houſes of Parliament, had ſurprized all, or Part, of the Magazine of Munition belonging to the County of *Leiceſter* and keeps the ſame by Force; which was actually levying War againſt his Majeſty; and therefore he could not account him, and his Adherents, other than Traitors, *&c.* The Earl of Stamford declared a Traitor by the King;

Next, a *Warrant* from the ſaid High Sheriff, for the Purpoſes above, was read; and then an Indemnification of the Earl of *Stamford*, and all ſuch as ſhould be aſſiſting to him, was agreed to by both Houſes, and *ordered* to be printed and publiſhed. But indemnified by the Parliament.

This Day the Earl of *Holland* acquainted the Lords with the Execution of his Commiſſion to the King at *Beverley*, with the laſt *Petition* of the Parliament, and his Majeſty's *Anſwer*, as beforementioned. His Lordſhip added, 'That the King gave him no Anſwer concerning the paſſing of ſome Bills, which he had delivered to him: That his Majeſty had then 3000 Foot and 3000 Horſe at his Command; but that a Squadron of the Earl of *Warwick*'s Fleet being come into the *Humber*, had given the Townſmen much Heart; and that Sir *John Hotham* was very careful to preſerve the Town.' State of the King's Forces at this Time.

Hereupon it was *ordered*, 'That the Lord General ſhould purſue his Levies, with all the Vigour and Speed he can, for the Safety of the King and Kingdom, and Defence of the Parliament.'

July 25. The Lord Mayor was this Day brought again to the Bar, the Committee of the Commons being

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being preſent; when Serjeant *Wylde* proceeded upon the Article in the ſecond Impeachment, concerning a *Petition* which the Lord Mayor had a Hand in contriving, againſt the *Ordinance* for the *Militia*. And another Affidavit was made, That Mr. *Wiſeman* was not in Town, but ſuppoſed to be gone to *York*; therefore it was deſired that his Examination, formerly taken before a Committee, concerning this Cauſe might be read, becauſe it was ſuſpected he was ſent away by the Lord Mayor. Then his Lordſhip was aſked, What he had to ſay why this Examination ſhould not be read? he anſwered, He deſired to be heard by his Counſel. The Lords then *ordered*, That this Evidence might be reſerved, and the Committee to go on with the reſt.

Proceedings on the ſecond Impeachment againſt the Lord Mayor of London.

Then the Serjeant proceeded to another Article, for ſuppreſſing a *Petition* of the 'Prentices to both Houſes, concerning the *Militia*; and in keeping ſome Priſoners, in his own Houſe, on a *Sunday*. For Proof of this *William Goff* depoſed, 'That, on a *Sunday*, when he and eleven other 'Prentices were getting Hands to the *Petition*, a Citizen took it out of their Hands and carried it to the Lord Mayor; who aſked them What ſuch Fellows as they ſhould do with *Petitions*? He would make them ſmart for it. They told him, They did nothing contrary to Law. He aſked them, How they came to be ſo ſkilful in the Law; gave them reviling Speeches; committed them to Priſon on a *Sunday*, and would not let them go to Church.'

John Carter and *Richard Arnold* depoſed to the ſame Purpoſe.

The Lord Mayor's Counſel aſking Leave to croſs-examine theſe Witneſſes, they were told, That when all the Evidence for the Commons was ended, the Witneſſes ſhould attend, and then they might aſk them ſuch Queſtions as they thought fit.

The Committee proceeded next to the fourth Article, concerning the Riot in *Cheapſide*; which the Lord Mayor refuſed to ſuppreſs, denied the Examinations taken in that Cauſe, and refuſed to bind over the Offenders to the Seſſions; which was an

Act

Act of Injuſtice. To prove the Riot, three Witneſſes were called, who ſaid, 'That, about Four in the Afternoon, on *Candlemas-Day* laſt, in *Cheapſide*, an hundred People fell upon them, and beat and kicked them, and called them *Roundheads* and *Browniſts*; they were but three of them in Company, and they gave them no Occaſion: That the Conſtable would not aſſiſt them; and they going afterwards to the Lord Mayor, he took their Examinations, but would not get them taken up, nor bound over to the Seſſions.' Other Witneſſes depoſed, 'That they went to the Lord Mayor, to deſire him to take ſome Courſe to ſuppreſs Tumults; but, he ſaid, he had no Power, but ſent them to the Committee at *Guildhall*, who were forced to ſend ſome of the Train'd Bands.' Others ſaid, 'That the Rioters threatened to pull down ſome of their Houſes: That they marched with Arms, and would have made one Man kneel to the Croſs; and when they complained to the Lord Mayor, he aſked, Whether their Party was not ſtrong enough? and ſaid, the Authority over the Train'd Bands was taken from him; and bid them go to the Committee: That the Lord Mayor entertained the Offenders in his Cellar, and they were conveyed away by ſome of his Servants; and he laughed upon and countenanced them; and bid them ſtand for the Croſs, and he would bear them out in it, *&c.*'

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After the Committee had gone through with their Witneſſes, the Serjeant made a Recapitulation of the whole Evidence which had been delivered; and, afterwards, the Lords *ordered*, That all Witneſſes, *&c.* ſhould attend the next Morning at Nine, when their Lordſhips would proceed in this Cauſe. Accordingly,

July 26. The Committtee of the Commons being come up, and the Lord Mayor brought to the Bar, Serjeant *Wylde* opened the fifth Article againſt him; which was for a Contempt, in not calling a Common Council in *London*, according to the *Order*

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der of both Houſes, for placing the Magazine, that came from *Hull*, in convenient Places in the City. To prove which theſe Witneſſes were examined:

Sir *Thomas Atkins*, Alderman, ſaid, 'That an *Order* of both Houſes came to the Committee for the *Militia*, to lay up the Arms, *&c.* and to that End a Common Council was to be called: That he and others repaired to the Lord Mayor, and ſhewed him the *Order*; who ſaid he would acquaint the Aldermen with it; but no Common Council was called till ten Days after.' Alderman *Normington*, and one *Ruſſel* depoſed to the ſame Effect.

Next he proceeded to his Proofs, That the Mayor had a Hand in contriving a *Counter-Petition* againſt the *Ordinance* of Parliament, and procured Hands to it. The Witneſſes for this were

Henry Daviſon, who ſaid, 'That he received a Paper from my Lord Mayor, who bid him carry it to the Recorder; which he accordingly did: That the Recorder liked it well, and afterwards he carried it to Mr. *Benyon* and Mr. *Gardner*.' The *Petition* being read, he confeſſed, 'He believed it the ſame; and that he was entreated by ſome Gentlemen to write ſome Names, that were to be ſent to for ſubſcribing the *Petition*; but he could not remember who gave him the Directions.

Richard Ferriby ſaid, 'He had the Note of Names from one *Nevil*; but knew not the Names in it, nor the Buſineſs; Mr. *Benyon* was there when he read the Note.'

Robert Mitchel ſaid, 'He knew nothing of the *Petition* which was to be preſented to his Majeſty: That there were Directions given to Mr. *Wiſeman* for the Drawing of a *Petition* to both Houſes: No Directions from the Lord Mayor, but by the Court of Aldermen.'

Capt. *Ven*, another Witneſs, ſaid, 'That when he moved for the Settling the *Militia*, in the Common Council, he conceived that the Lord Mayor did decline it.'

The

The Evidence againſt the Priſoner being all gone through, the Serjeant, next, made a ſummary Recollection of the Proofs; and obſerved upon the ſeveral Actions of the Lord Mayor, according as they were in Time: As, firſt, the *Counter-Petition* againſt the *Ordinance* of the *Militia*, which was made by both Houſes, upon ſuch great Conſiderations and juſt Occaſions, meerly for the Safety of the King and Kingdom; and, in particular, having an Eye to the Safety of the City of *London*; but nothing done in it without a Committee of theirs, which ſhould conſent, and did conſent, to this *Ordinance*; only the Lord Mayor refuſed, becauſe it was his Deſign to make a Diviſion in the City: Therefore, he ſaid, the ſending of this *Petition* to divers to ſubſcribe, ſhews that he did it with a malicious Intention. An. 18. Car. I. 1642. July.

'The other Parts of the Charge, the Serjeant ſaid, were theſe, the 'Prentices *Petition* to Parliament, which the Lord Mayor got into his own Hands, kept it, and gave them ill Language, and impriſoned them; the Matter of the Riot; the not calling a Common Council according to *Order* of Parliament; and, *laſtly*, his Publiſhing the *Proclamation* for the *Commiſſion* of *Array*, *June* 25, after the *Reſolution* of both Houſes, concerning the Illegality of it, was both printed and publiſhed.'

Ordered the hearing of the Lord Mayor's Counſel on *Thurſday* the 28th Inſtant.

Several more particular Indemnities were *ordered*; and one general Indemnity for all thoſe Perſons that have or ſhall exerciſe or train themſelves, as Volunteers, was read and approved of. Both Houſes alſo agreed to appoint the Earl of *Pembroke* to be Lord Lieutenant of the Counties of *Brecon*, *Monmouth*, and *Glamorgan*, in the Room of the Lord *Philip Herbert*.

The ſame Day a *Replication* of the Lords and Commons aſſembled in Parliament, to his Majeſty's *Anſwer*

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Anſwer to their *Petition*, ſent by the Earl of *Holland*, was agreed to, as follows:

The Parliament's Replication to the King's Anſwer to their Petition for Peace.

'THE Lords and Commons in Parliament (having taken into their ſerious Conſideration his Majeſty's *Anſwer* to their humble *Petition* for Peace, delivered by the Earl of *Holland*, Sir *Philip Stapylton*, and Sir *John Holland*, and the Demands which he is thereupon pleaſed to make concerning the preſent Delivery of the Town of *Hull*, the Magazine, the Navy, diſavowing the *Ordinance* of the *Militia*, the laying down of all Arms raiſed by Authority of the two Houſes of Parliament, and adjourning themſelves to ſome other Place) do beſeech his Majeſty to accept this their humble and juſt Excuſe, That they cannot for the preſent, with the Diſcharge of the Truſt repoſed in them for the Safety of the King and Kingdom, yield to thoſe Demands of his Majeſty.

'The Reaſon why they took into their Cuſtody the Town of *Hull*, the Magazine and Navy; paſſed the *Ordinance* of the *Militia*, and made Preparation of Arms; was for the Security of Religion, the Safety of his Majeſty's Perſon, of the Kingdom and Parliament, all which they did ſee in evident and imminent Danger; from which when they ſhall be ſecured, and that the Forces of the Kingdom ſhall not be uſed to the Deſtruction thereof; they ſhall then be ready to withdraw the Garriſon out of *Hull*, to deliver the Magazine and Navy, and ſettle the *Militia* by Bill, in ſuch a Way as ſhall be honourable and ſafe for his Majeſty, moſt agreeable to the Duty of Parliament, and effectual for the Good of the Kingdom, as they have profeſs'd in their late *Petition*.

'As for adjourning the Parliament; they apprehend no Reaſon for his Majeſty to require it, nor Security for themſelves to conſent to it. And, as for that Reaſon which his Majeſty is pleaſed to expreſs, they doubt not but the uſual Place will be

'as

'as ſafe for his Royal Perſon as any other, conſider- An. 18. Car. I
'ing the full Aſſurance they have of the Loyalty 1642.
'and Fidelity of the City of *London* to his Majeſty; July.
'and the Care which his Parliament will ever have
'to prevent any Danger, which his Majeſty may
'juſtly apprehend; beſides the manifold Conveni-
'ences to be had there, beyond any other Parts of
'the Kingdom.

'As for the laying down of Arms; when the
'Cauſes which mov'd them to provide for the De-
'fence of his Majeſty, the Kingdom, and Parlia-
'ment, ſhall be taken away, they ſhall very willing-
'ly and chearfully forbear any further Preparations,
'and lay down their Forces already raiſed.'

This *Replication* was ſent to the King, then before *Hull*; but with no Solemnity of Meſſengers, or any other Ceremony than being incloſed to one of the Secretaries of State. It was alſo *ordered* to be printed; and likewiſe forthwith publiſhed in all Churches and Chapels, together with the ſaid *Petition* and *Anſwer*.

There is in the Lords *Journals* of this Day, a Copy of a very loyal and bold *Petition* from ſome of the Nobility, and many of the Knights and Gentlemen of the County of *York*; which is not in the *Collections* of theſe Times, and which we give, as follows, from the former Authority:

To the Right Honourable the LORDS and COMMONS aſſembled in Parliament,

The HUMBLE PETITION and REMONSTRANCE of the NOBILITY and GENTRY of the County of *York*,

Sheweth,

THAT this County is extremely perplexed by reaſon of the public Acts of Hoſtility committed by Sir John Hotham *and the Garriſon at* Hull, *to the great Diſturbance of the Peace of this County, threatening*

Petition from the Nobility and Gentry of Yorkſhire againſt Sir John Hotham.

no

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no leſs than the Ruin and Deſtruction of it. That the firſt putting a Garriſon into that Town was pretended to be to defend it againſt the Papiſts *at home, and the Invaſion of foreign Enemies; ſince that Time the Gates have been ſhut againſt our Gracious Sovereign, and Entrance denied to his own Royal Perſon; ſeveral Perſons have been thrown out of the Town, and expelled from their own Freeholds and perſonal Eſtates; ſome Part of the Country is drown'd by* Sir John Hotham, *to the utter Ruin of many Families; Sallies have been made by armed Men, who have burnt and plundered Houſes, and murdered their Fellow-Subjects, when we were confident of a Ceſſation, with all the Circumſtances of Rage and Cruelty which uſes to be contracted by a long and bloody War. After all this, his Majeſty, who hath kept his Reſidence here with all the Demonſtration of Care and Affection towards us, graciouſly forbears to lay any further Siege to that Place; and hath declared unto us, That, by no Act of his, this County ſhall be made the Seat of War; and yet, by the new Supply of Soldiers taken into* Hull, *and the late Actions there, (which we conceive to be manifeſtly againſt the Oaths of* Supremacy *and* Allegiance, *the* Petition of Right, *and the late* Proteſtation) *we have Cauſe to fear that ſome Violence is intended both againſt our Perſons and our Fortunes. The Premiſes conſidered, we cannot but be infinitely jealous that Sir* John Hotham *cannot derive his Authority to commit ſuch barbarous Acts of Hoſtility from the two Houſes of Parliament, from whom we expect all the Effects of Happineſs, Peace, and Preſervation of our Laws and Liberties.*

We humbly deſire, therefore, to know whether theſe Outrages are done by your Authority, and whether this County muſt be ſubject to that Garriſon; that we may thereupon provide in ſuch a Manner for our Safeties, that theſe Injuries, Violences, and Oppreſſions be no longer impoſed upon us by our Fellow-Subjects; but that we may be all liable to the known Laws of the Land to which we were born, and which is the only Security and Evidence we have for our Lives and Fortunes.

Theſe

Theſe three Inſtances, amongſt many others of Sir John Hotham's *Acts of late, we thought fit to annex:* An. 18. Car. I. 1642. July.

1. *He ſtayed two Ships of* Hull, John Rawſon *and* Watſon *being Maſters of them, and they laden with Cloth to the Value of near* 40,000l. *contrary to the King's Pleaſure and the* Order *of Parliament, and tending to the great Deſtruction of Trade.*

2. *A Gentleman of Quality, Mr.* Wright, *taken Priſoner ſince his Majeſty's withdrawing his Forces from* Hull, *travelling from his Houſe to* York.

3. *A Drummer of one of his Majeſty's Captains taken and forced to march naked thro' 300 Muſketteers, and whipped by each of them.*

Cumberland	William Ingilby
Fauconberge	Francis Darley
Savile	Edward Oſborne
Edmund Cowper, *Mayor of* York	Jo. Storey
	Chr. Dawnay
Peter Middleton	John Ramſden
Robert Maude	William Robinſon
Henry Bellaſis	John Wolſtenholme
William Savile	Mar. Langdale
William Pennyman	Jor. Metham
Henry Slingſby	George Butler
Thomas Danby	Richard Tempeſt
George Wentworth	Richard Sherburne
Thomas Ingram	John Savile
John Mallory	Francis Monckton
Richard Aldburgh	Tobias Jenkins
Francis Neville	J. Hopton
Godfrey Copley	John Dalſton
Thomas Beaumont	Ni. Yarburgh
William Norton	William Armitage
John Copley	John Gibſon
Francis Rookeby	John Wandesford
Chriſtopher Wyvill	Francis Tindal
Thomas Heſketh	Richard Wyvill
Conyers D'Arcy	Richard Benſon
William D'Arcy	Richard Butler
John Goodricke	Thomas Thornhill

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Chriſtopher Grant	Thomas Stringer
Richard Franck	Gilbert Gregory
Jo. Batty	Joſeph Hillary
Fra. Hermitage	Francis Jackſon
Fra. Burdett	Ja. Ellerker
Darcy Waſhington	George Rogers
John Hudſon	John Arkroyd
Mic. Fawkes	Robert Savile.

Ordered, That this *Petition* be communicated to the Commons, at a Conference.

July 27. Nothing done in the Houſe of Lords, being the Day of public Faſt.

Further Proceedings on the two Impeachments againſt the Lord Mayor.

July 28. A *Petition* of Sir *John Conyers*, Knt. Lieutenant of the *Tower*, was read, importing, 'That the Lords would pleaſe to ordain the Lord 'Mayor to pay, for Fees at his Entrance, and for 'Compoſition of Furniture for his Lodging, 140*l.* 'and 25*l.* a Week for his Diet with the ſaid Lieu-'tenant, or a Compoſition for his own Diet, ſuit-'able to a Man of his Place.' It ſeems the Lieutenant demanded Fees of the Lord Mayor as an Earl, and he refuſed to pay more than as a Knight. A Committee of Lords was appointed to examine into this Affair, and report the ſame to the Houſe. The Hearing of the Lord Mayor's Defence put off to

July 29. And, on that Day, Serjeant *Wylde* being aſked by the Lords, Whether he had any further Evidence to give againſt the Lord Mayor, before his Counſel began, he deſired that Mr. *Wiſeman* might give his Teſtimony, *viva Voce*, and ſome more Witneſſes ſince diſcovered.

Thomas Wiſeman, upon Oath, ſaid, 'That he did know of three *Petitions* to the King and both Houſes of Parliament: That he had Orders from the Court of Aldermen for framing one, and the Words were put in his Mouth; that he ſhewed it to the City Counſel, and the Subſtance of it was agreed on in the Court of Aldermen by the Major Part. To his

his beſt Remembrance fifteen or ſixteen Aldermen were preſent; it was ſubſcribed by fourteen, and thirteen makes a Court. He knew not whether any Aldermen proteſted againſt the *Petition*; ſome did not agree to it, but the Major Part of the Court did allow it. Mr. *Wiſeman* then deſired that his former Examination might be read, for the better Help of his Memory, being ſix Months ſince it was taken; which was agreed to: Wherein he ſays, That, for the two firſt *Petitions*, there was Order given in the Court for making of them, but cannot remember the third to the King was ſo ordered. That he had Directions from the Lord Mayor and Mr. Recorder, and, as he conceives, from the Court of Aldermen, to ſend that *Petition* to the King, and he did ſend it incloſed to the Earl of *Dorſet*; but his Lordſhip did not deliver it, becauſe he thought it not fit.'

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Alderman *John Warner*, upon Oath, ſaid, 'He did not remember any Motion was made for the *Petition* to be ſent to the King; but that one againſt the *Ordinance* of *Militia* might be delivered to the Parliament. And the Queſtion being put, Whether a *Petition* or no *Petition?* the Major Part were for it. That ſome did proteſt againſt the preferring of that *Petition*; he himſelf offered to do it and to leave the Court, but the Lord Mayor commanded him to ſtay; and that his Lordſhip did preſs and urge this *Petition*, to the beſt of his Remembrance.' Alderman *Atkins* teſtified again to the ſame Effect.

Then the Serjeant deſired that two *Orders* might be read, made *January* 13 and *July* 1, for the Lord Mayor to call a Common Council when he ſhould be required by the Committee; both which *Orders* he confeſſed he had Notice of.

Three Witneſſes more depoſed, 'That the Lord Mayor deferred calling a Common Council, tho' urged to it by them; and when it was called, he refuſed to put the Queſtion concerning diſpoſing of the Magazine from *Hull*; but ſaid he would not do it, and took the Sword and went away.'

An. 18. Car. I. 1642. July. *Laſtly*, Two more Witneſſes to the Riot ſwore, 'That a Man being brought before the Lord Mayor for ſaying *he would pull down the Croſs at Cheapſide*, his Lady ordered the Parties, that took him, to be made much of; and that one of them, drinking the Lord Mayor's Health, ſaid, *There were a Thouſand that would ſtand for the Lord Mayor and the Croſs.*'

The Serjeant having ended his Evidence for the Charge, the further Hearing of the Cauſe was deferred till the Afternoon of this Day; when all the Parties being again met, the Counſel for the Priſoner began with his Defence; and, *firſt*, concerning proclaiming the *Proclamation* for putting in Execution the Commiſſion of *Array*. Here it was argued, 'That the Fact was not proved to be done maliciouſly; and, if proved, yet it was no Crime. That no *Proclamation* was annexed to the Impeachment; nor no Proof made that the *Proclamation* was to put in Execution the Commiſſion of *Array*: For theſe Reaſons it was ſaid the Charge was not proved; and it was alledged the Lord Mayor was bound to do it by his Oath. Then the *Writ* was read, and Witneſſes produced to prove, That it had been the Duty and Cuſtom of the Lord Mayor of *London*, to publiſh all *Proclamations* that came from the King: *Proclamari fecit Proclamationes annexas.* And,

His Defence.

Firſt, Sir *Nicholas Raynton* ſaid, 'That the Lord Mayor did uſe to give Orders to proclaim *Proclamations*, directed to him and the Sheriffs, and never acquainted the Sheriffs with it.' Sir *John Garraway*, Sir *Edmond Wright*, and *John Latham* atteſted the ſame. Then the Lord Mayor's Counſel urged, That *Anno* 3. *Jac.* on a *Capias* to take the Counteſs of *Rutland*, it was adjudged, That the Sheriff was not to queſtion the Illegality of the *Writ*: That there had been no *Vote* againſt the Lord Mayor's proclaiming the *Proclamation*; and that the *Declaration* againſt the Illegality of the Commiſſion of *Array* was not publiſhed till after the *Proclamation*; the firſt being made *July* 1, and the latter not till the 6th; nor

was

was there any thing ſaid what he ſhould have pleaded, if, out of Parliament, he ſhould have been queſtioned by the King for a Refuſal.' An. 18. Car. I. 1642. July.

Next, The Priſoner's Counſel proceeded to the ſecond Impeachment, about contriving, framing, and publiſhing ſome *Petitions*, which were falſe, ſcandalous, and ſeditious.

It was argued, 'That the original *Petition* itſelf was not annexed, but only a Copy: That Intentions were not puniſhable, unleſs it was in Treaſon. It was alledged, That there was no Proof that the Lord Mayor ever publiſhed, or procured any Hands to, that *Petition* which is annexed to the ſaid Impeachment. That *Ferriby* depoſed, The Lord Mayor was not preſent when *Nevile* gave him the Names of thoſe he was to ſummon. It was further argued, That the Lord Mayor never knew of the Preſenting the original *Petition* to both Houſes. He was charged with framing and contriving a *Petition*, but no Proof made that he had any Privity in it; neither did he ſee the *Petition* after *Daviſon* had ſhewed it to the Recorder; and only one Witneſs ſwore, He believed it was to the ſame Effect.

To prove all this, Mr. *Mitchell*, the Town-Clerk depoſed, 'That an Order was made by the Common Council, that a *Petition* ſhould be drawn to be preſented to the Houſe of Commons, concerning the *Militia*: That this *Petition* was made before the *Ordinance* for the *Militia* was paſſed.'

Mr *Daviſon* ſaid, 'He did not know that the Lord Mayor ever read the Paper carried to the Recorder.'

Mr *Drake* ſaid, 'He knew, by Relation from Mr *Benyon*, that Mr. *Gardner* and Mr *Benyon* drew the *Petition*, and ſent it to the Recorder.'

Sir *John Pettyt* depoſed, 'That he heard Mr. *Benyon* deſire the Lord Mayor that his Man might carry the *Petition* to the Recorder, that it might receive the better Credit. And further ſaid, That when the ſaid *Petition* was brought and ſhewed to the Lord Mayor, he ſaid he would not meddle with it.'

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'especially in these Times of apparent Danger, far 'exceeding all former Times, either of his Majes- 'ty or of his Royal Father King *James*; and ta- 'king into further Consideration the great Debt 'now due unto the Navy, as well before the Be- 'ginning of this Parliament as since, amounting to 'the Sum of 200,000 *l.* and that 52 Ships of War 'are now in the actual Service of this Kingdom, as 'well for the Defence thereof as of *Ireland*; and 'not knowing what other Supply of Ships and of 'Store will be further requisite in these Times of 'Danger; and well knowing that they cannot be 'maintained without great Sums of Money, nor 'the said great Arrears satisfied by any Monies al- 'ready collected or owing by Merchants for the 'Time past:

'And, foreseeing the Danger and Necessity of the 'Supply, did, long before this Time, prepare a new '*Book of Rates*, which passed both Houses, now 'ordered to be published; wherein they had as well 'an equal Respect to the Ease of the Merchants, 'as to the raising of such Sums of Money as might 'be proportionable to those Supplies; and did like- 'wise prepare and pass a Bill of *Tonnage* and *Poun- 'dage*, whereby the *Book of Rates* is confirmed; 'which Bill they have likewise *ordered* to be print- 'ed and published; which, after it had pass'd 'both Houses, was, upon the 29th of *June* last, 'sent to his Majesty at *York* for the Royal Assent; 'which his Majesty not having passed, the Lords 'and Commons did, upon the 14th Day of '*July* last, command the Earl of *Holland*, Sir '*John Holland*, and Sir *Philip Stapylton*, (by whom 'they did send their late *Petition* to his Majesty) in 'the Name of both Houses, to move his Majesty 'to give a speedy Passage to that Bill, whereunto 'his Majesty hath given no Answer at all. And 'whereas the former Bill of *Tonnage* and *Poundage* 'did determine the first Day of *July* last, since 'which Time no Monies intended to be rai- 'sed by this last Bill have been collected; now the

'said

'ſaid Lords and Commons, having taken the Pre- An. 18. Car. I.
'miſes into due and ſerious Conſideration, for pre- 1642.
'venting the inevitable Dangers that muſt neceſſa- Auguſt.
'rily enſue, without timely Prevention in that
'Behalf, have thought good to make this their *De-*
'*claration* to all his Majeſty's loving Subjects.

1. 'Whereas by an Act made this preſent Parliament, intitled, *An Act for the Relief of the Captives taken by the* Turkiſh, Mooriſh, *and other Pyrates, and to prevent the taking of others in Time to come*, all Merchants, as well Denizens as Aliens, 'for any Goods exported or imported, from the 'tenth Day of *November* 1641, during the Term 'of three Years then next enſuing, are to make 'due Entries of all ſuch their Goods in the Port of '*London*, and all other his Majeſty's Ports within 'the Realm of *England* and Dominion of *Wales*, 'upon the Penalties of the Forfeiture of the ſaid 'Goods:

'Now the ſaid Lords and Commons do enjoin 'all Merchants, as well Denizens as Aliens, to 'make due Entry of all ſuch Goods and Merchan-'dize, as they ſhall, during the Continuance of the 'ſaid Act, export and import. And, to the In-'tent that the Entries may be accordingly made, 'they do expect that the Cuſtomers, Comptrollers, 'Searchers, and all other the Officers of the ſaid 'City of *London* and other the Ports reſpectively, 'do carefully attend the ſeveral Charges, and make 'due Seizure as forfeited, of all ſuch Goods and 'Merchandize, as ſhall not be entered according to 'the Intent of that Statute.

2. 'That altho' the ſaid laſt Bill for *Tonnage* and '*Poundage* hath not yet had the Royal Aſſent, and 'therefore the Subject, by the Law, is not compel-'lable to pay the Duty therein limited to be paid; 'yet the Premiſes and preſſing Neceſſities conſider-'ed, the Lords and Commons do declare, that it 'ſhall be taken as an acceptable Service to the Com-'mon-wealth, and a Manifeſtation of their good 'Affections to the Public, of all thoſe that ſhall,

'upon

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'upon the Entry of their Goods, advance and pay, 'by way of Loan, unto the Collectors or Com- 'miſſioners, which now are or hereafter ſhall be 'named, or to their Deputy or Deputies, all ſuch 'Sum or Sums of Money, as are payable by the 'laſt *Book of Rates*, and ſhould have been due in 'caſe the ſaid Bill had paſs'd into a Law.

3. 'That every Merchant ſo advancing Mo- 'ney as aforeſaid, ſhall have an Allowance, by 'way of Defalcation, of 15 *l. per Cent.* out of e- 'very 100 *l.* he or they ſhall ſo advance and pay, 'over and above all other Allowances made in the 'ſaid Bill or *Book of Rates*, or either of them, and 'ſo out of every greater or leſs Sum after that Rate.

4. 'Whereas the Bill of *Tonnage* and *Poundage*, 'now remaining with his Majeſty, cannot have the 'Force of a Law, without the further Concur- 'rence of the Lords and Commons, in reſpect the 'Speaker of the Houſe of Commons, by and with 'the Conſent of the ſaid Commons, is to carry the 'ſaid Bill into the Lords Houſe for the Royal Aſ- 'ſent; as alſo in reſpect that, in his Majeſty's Ab- 'ſence from Parliament, his Majeſty hath no Power 'to paſs his Royal Aſſent unto a Bill, but by his 'Letters Patent under the Great Seal, and ſigned 'with his Hand, declared and notified to the Lords 'and Commons aſſembled together in the Higher 'Houſe, as by a Statute made the twenty-third 'Year of King *Henry* VIII. appeareth: Now the 'Lords and Commons, for the further Aſſurance 'of Merchants advancing Money as aforeſaid, do 'promiſe and declare, That before they conſent to 'the perfecting of the ſaid Bill of *Tonnage* and '*Poundage*, now remaining with his Majeſty, or 'any other Bill of *Tonnage* and *Poundage* whatſo- 'ever, Proviſion ſhall be made that the ſaid Allow- 'ance of 15 *l. per Cent.* ſhall be confirmed unto 'the ſaid Merchants accordingly; and that they, 'their Heirs, Executors, Adminiſtrators, and Aſſigns, 'ſhall be for ever acquitted and diſcharged of and 'from the Payment thereof.

5. 'To

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5. 'To the Intent that no Merchants do forbear to advance the ſaid Money by way of Loan, 'according as is hereby deſired, in Hopes that the 'Duties in the ſaid Bill ſhall not hereafter become 'payable from the firſt Day of *July* 1642, the Lords 'and Commons do *declare*, That no Bill of *Tonnage* and *Poundage* ſhall hereafter paſs in Parliament, but ſuch as ſhall relate and be in Force to 'compell all Merchants to pay for all Goods and 'Merchandizes, exported and imported, from the 'ſaid firſt Day of *July* 1642, on which Day the 'former Bill of *Tonnage* and *Poundage* expired; in 'which Bill there ſhall be that Clauſe of Forfeiture 'of the Value of all ſuch Goods as ſhall not be duly entered in the Cuſtom-houſe, from and after 'that Day, in ſuch Manner as in the ſaid Bill is expreſſed.

6. 'As to Merchants who ſhall not advance 'Money by way of Loan, as aforeſaid, in regard of 'the preſent and preſſing Dangers and Neceſſities, 'the Lords and Commons do *declare*, That at what 'Time ſoever they ſhall conſent to the Paſſing of 'any Bill of *Tonnage* and *Poundage*, all ſuch Perſons, who ſhall not advance Money as aforeſaid, 'ſhall be charged to pay the Duties of *Tonnage* and '*Poundage* from the ſaid firſt Day of *July* 1642, 'during the Term of the ſaid Bill, in ſuch Manner 'as by the ſaid Bill ſhall be provided.

7. 'That to the Intent no Officer belonging to 'any Cuſtom-houſe within this Kingdom, or the 'Dominion of *Wales*, or other Perſons appointed 'to be Commiſſioners for receiving ſuch Money as 'ſhall be advanced by Merchants as aforeſaid, be 'diſcouraged, by reaſon of any Penalties mentioned 'in any former Act of *Tonnage* and *Poundage* paſs'd 'this Parliament, from receiving any Duties upon 'Merchandize, not being granted by Parliament; 'although the Lords and Commons do conceive, 'and hereby *declare*, That the Receiving of the 'ſaid Sums of Money beforementioned is not 'within the true Intention of the ſaid Penalties, 'the ſame being advanced voluntarily, by way of Loan;

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'Loan; as alſo in reſpect thoſe Acts, and the true 'Intent of them, were principally to reſtrain the 'Crown from impoſing upon the People without 'their Conſent: Yet, for the further Encouragement of ſuch Perſon, or Perſons, who ſhall receive any ſuch Sums, they do declare and promiſe, 'That before the ſaid Bill of *Tonnage* and *Poundage*, now remaining with his Majeſty, or any 'other, do paſs for a Law, there ſhall be a Proviſion made, in ſuch Bill, for the Indemnity and 'Security of all ſuch Perſon and Perſons in that 'Behalf.

8. 'That whereas, by a former *Order* of the 'Commons Houſe of Parliament, the Officers appointed for that Purpoſe have Orders to take Bonds 'of all Merchants for the Payment of One *per Cent.* 'to be raiſed by virtue of the aforeſaid Bill, for the 'Relief of the Captives taken by the *Turkiſh* or other Pirates, or ſo much thereof as ſhall be agreed 'on by the Lords and Commons in Parliament: It 'is now *ordered*, That all ſuch Merchants, as ſhall 'not advance Money by way of Loan as aforeſaid, 'ſhall, at all Times hereafter, upon Entry of their 'Goods, make Payment of ready Money for their 'ſaid Goods, according to the Tenor of the ſaid 'Bill; and likewiſe all ſuch other Sums of Money 'as, by virtue of the ſaid Bill, are due from the 'ſaid Merchants upon Bill, or otherwiſe, for Goods 'by them formerly entered ſince the 10th Day of '*December* 1641, by the true Intent of which Act 'the One *per Cent.* to be paid and received, is to 'be taken and received according to ſuch Rates as 'were due and payable by the Bill of *Tonnage* and '*Poundage*, which did laſt determine.

9. 'The Lords and Commons do *ordain*, That 'the ſame Collectors, or Commiſſioners, who have 'formerly received the ſeveral Duties upon Merchandize, upon the ſeveral Bills of *Tonnage* and '*Poundage* paſs'd this Parliament, ſhall be, and are, 'deputed to be Commiſſioners, who are enabled by 'this *Ordinance* to receive all ſuch Sum, or Sums, 'of Money, which ſhall, at any Time hereafter,

be

'be voluntarily advanced by way of Loan, in ſuch 'Manner as they have formerly received the for- 'mer Duties of *Tonnage* and *Poundage*; which ſaid 'Commiſſioners, their Deputy or Deputies, or any 'one of them, ſhall have full Power and Authority 'to give Allowance, by way of Defalcation, after 'the Rate of 15 *l. per Cent.* out of all ſuch Mo- 'nies as ſhall be advanced according to the true 'Intent of this *Ordinance:* All which Monies the 'ſaid Commiſſioners, their Deputy or Deputies, 'ſhall receive upon Account; and ſhall, from Time 'to Time, iſſue out of the ſame, as they, the ſaid 'Commiſſioners, ſhall be authorized by *Order* of 'the Lords and Commons in Parliament, or of 'ſuch other Perſon, or Perſons, as they ſhall no- 'minate and appoint to be employed for the Uſes 'herein before expreſſed. An. 18. Car. I. 1642. Auguſt.

10. 'For the more due Execution of the Pre- 'miſes, and that an Account be juſtly kept of the 'Commiſſioners due Charge, the Cuſtomers and 'Comptrollers, as well of the City of *London* as 'the Out-Ports, are required, in every twenty- 'eight Days, to make a true Copy of all ſuch En- 'tries as have been made in the ſeveral Ports reſpec- 'tively, and of the Monies payable by the ſaid 'Entries; and are to certify the ſaid Accounts, 'monthly, unto *William Soames*, Eſq; Surveyor- 'General in the Cuſtom-houſe of *London*; who 'is likewiſe required to make up a perfect Account 'upon all the ſeveral Certificates, and to return the 'ſame unto the Commons Houſe of Parliament, or 'to ſuch Committee as ſhall be thereunto authoriz'd 'by them.

'That for the better Direction as well of the 'Merchants, what is to be performed on their Parts, 'as of the ſeveral Officers of the Cuſtom-houſe in 'the ſeveral Ports reſpectively: It is *ordained* by the 'Lords and Commons now aſſembled in Parlia- 'ment, That a true Copy of the ſaid Bill of *Ton- 'nage* and *Poundage*, which hath paſſed both Houſes, 'and is now remaining with his Majeſty, ſhall be 'printed, and both it and the ſaid *Book of Rates* 'pub-

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'publiſhed, and ſent as well to the Officers of the 'Cuſtom-houſe in the City of *London*, as unto the 'Officers of the Out-Ports reſpectively.

Laſtly, 'For the Encouragement of Merchant-'Strangers, trading to the Port of *Dover*, to con-'tinue their Intercourſe of Trade, and the Impor-'tation of Bullion and foreign Coin: It is *ordered* 'by the Lords and Commons, That the ſeveral 'Officers in that Port reſpectively ſhall, and may, 'from Time to Time, give unto all Merchant-'Strangers the like Reſpect and Allowance in their 'Cuſtoms as they have formerly done.'

Auguſt 2. This Day the Lords read a *Declaration*, brought up from the Commons, by Mr. *Denzil Holles*, ſetting forth the Grounds and Reaſons which neceſſitated the Parliament, at this Time, to take up defenſive Arms for the Preſervation of his Majeſty's Perſon, the Maintenance of the true Religion, the Laws and Liberties of this Kingdom, and the Power and Privilege of Parliament; which, with ſome Alterations and Amendments, was agreed to, and is as follows:

Their Reaſons for taking up defenſive Arms.

'WE the Lords and Commons in Parliament aſſembled, having taken into ſerious Con-'ſideration the preſent State and Condition of im-'minent Danger, in which the Kingdom now 'ſtands, by reaſon of a Malignant Party prevailing 'with his Majeſty; putting him upon violent and 'perilous Ways, and now in Arms againſt us, to 'the Hazarding of his Majeſty's Perſon, and for the 'Oppreſſion of the true Religion, the Laws and 'Liberties of this Kingdom, and the Power and 'Privilege of Parliament; all which every honeſt 'Man is bound to defend, eſpecially thoſe who have 'taken the late *Proteſtation*, by which they are more 'particularly tied unto it, and the more anſwerable 'before God, ſhould they neglect it: Wherefore, 'we (finding ourſelves engaged in a Neceſſity to 'take up Arms likewiſe, for the Defence of theſe, 'which, otherwiſe, muſt ſuffer and periſh; and ha-'ving

'ving uſed all good Ways and Means to prevent An. 18. Car. I.
'Extremities, and preſerve the Peace of the King- 1642.
'dom, which good Endeavours of ours the Malig- Auguſt.
'nity of our Enemies hath rendered altogether ſuc-
'ceſsleſs and vain) do now think fit to give this
'Account unto the World, to be a Satisfaction un-
'to all Men of the Juſtice of our Proceedings, and
'a Warning unto thoſe who are involved in the
'ſame Danger with us, to let them ſee the Neceſſity
'and Duty which lies upon them to ſave them-
'ſelves, their Religion and Country; for which
'Purpoſe, we ſet out this *Declaration*: (p)

'That it appears by the *Anſwer* which his Majeſty
'hath given to the *Humble Petition for Peace*, pre-
'ſented unto him by both Houſes of Parliament,
'and thoſe Demands which he makes, that the
'Deſign which hath been ſo long carried on to al-
'ter the Frame and Conſtitution of this Govern-
'ment, both in Church in State, is now come to
'Ripeneſs; and the Contrivers of it conceive them-
'ſelves arrived to that Condition of Strength, that
'they ſhall be able to put it in preſent Execution.

'For what elſe can be ſignified by the Demand-
'ing of *Hull*, the Fleet, and the Magazine to be
'immediately delivered up: All our Preparations of
'Force to ceaſe, and the defenſive Arms of the Par-
'liament to be laid down, and the Parliament to
'be adjourn'd to another Place, than that we ſhould,
'out of the Senſe of our own Inability to make
'Reſiſtance, yield ourſelves to the cruel Mercy of
thoſe

(p) In the Debate on this *Declaration* in the Houſe of Commons, Exceptions were taken to ſome Words, ſpoken by Sir *Symmonds D'Ewes*, as laying Aſperſions and Imputations upon the Committee that had brought it in, *viz.* 'That there were many Things in this 'Declaration, that were taken out of other Men's Pockets and Bud-'gets, and before printed.' Whereupon he was commanded to with-draw, and it was *reſolved*, That Sir *Simmonds D'Ewes* ſhould aſk the Committee Pardon for the Imputation laid upon them by theſe Words, and the Offence thereby committed againſt the Houſe; and that he ſhould receive Reprehenſion for it in his Place. He was accordingly reprehended by Mr. Speaker, who admoniſhed him to be more careful of his Expreſſions hereafter; and not to lay Imputations upon any particular Members, much leſs upon any Committee employed in the Service of the Houſe. *Commons Journals.*

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'thoſe who have poſſeſſed the King againſt us, and 'incited him to violate all our Privileges, and re-'vile the Perſons and Proceedings of the Parliament? 'Or elſe, if (as it cannot be otherwiſe conceived) 'we do not grant what is ſo unreaſonable and de-'ſtructive, forthwith to bring on that Force which 'is prepared againſt us, by the Concurrence and 'Aſſiſtance of *Papiſts*, an ambitious and diſcontent-'ed Clergy, Delinquents obnoxious to the Juſtice 'of Parliament, and ſome ill-affected Perſons of the 'Nobility and Gentry; who, out of their Deſire 'of a diſſolute Liberty, apprehend, and would keep 'off, the Reformation intended by the Parliament.

'Theſe Perſons have conſpired to ruin this Par-'liament, which alone hath ſet a Stop to that Vio-'lence ſo long intended, and often attempted, for 'the Alteration of Religion, and Subverſion of the 'Laws and Liberties of the Kingdom.

'How far we were plunged in a miſerable Expec-'tation of moſt evil Days, and how faſt this grow-'ing Miſchief prevailed upon us before this Parlia-'ment, needs not now be declared, it being ſo 'freſh and bleeding in every Man's Memory. Re-'ligion was made but Form and Outſide; and thoſe 'who made Conſcience to maintain the Subſtance 'and Purity of it, whether Clergy or others, were 'diſcountenanced and oppreſſed, as the great Ene-'mies of the State. The Laws were no Defence 'nor Protection of any Man's Right; all was ſub-'ject to Will and Power, which impoſed what 'Payments they thought fit, to drain the Subject's 'Purſe, and ſupply thoſe Neceſſities which their ill 'Counſels had brought upon the King, or gratify 'ſuch as were Inſtruments in promoting thoſe ille-'gal and oppreſſive Courſes. They who yielded 'and complied were countenanced and advanced, 'all others diſgraced and kept under; that ſo, Men's 'Minds made poor and baſe, and their Liberties loſt 'and gone, they might be ready to let go their Re-'ligion whenſoever it ſhould be reſolved to alter it; 'which was, and ſtill is, the great Deſign, and all

'elſe

'elſe made uſe of but as inſtrumentary and ſubſer- An. 18. Car. I.
'vient to it. 1642.

'When they conceived the Way to be ſufficient- Auguſt.
'ly prepared, they at laſt reſolved to put on their
'Maſter-piece in *Scotland*, (where the ſame Me-
'thod had been followed) and more boldly to un-
'maſk themſelves, in impoſing upon them a *Popiſh*
'Service-Book; for well they knew the ſame Fate
'attended both Kingdoms, and Religion could not
'be altered in the one, without the other. God
'raiſed the Spirits of that Nation to oppoſe it with
'ſo much Zeal and Indignation, that it kindled ſuch
'a Flame, as no Expedient could be found but a
'Parliament here to quench it.

'This Neceſſity brought on this Parliament;
'and the ſame Neceſſity gave it, in the Beginning,
'Power to act with more Vigour and Reſolution
'than former Parliaments had done, and to ſet
'upon a Reformation of the great Diſorders, both
'in the Eccleſiaſtical and Civil State; which drew
'a more particular Envy and Odium upon it, than
'was uſual to the generality of Parliaments; and
'was a Cauſe, that thoſe, who had ſwallowed up,
'in their Thoughts, our Religion and Liberties, and
'now ſaw themſelves defeated by this Means, bent
'all their Endeavours, and raiſed all their Forces to
'deſtroy it.

'*Firſt*, Whilſt the *Scots* Army remained here,
'they endeavoured to incenſe the two Nations, and
'engage their Armies one againſt the other; that,
'in ſuch a Confuſion as muſt needs have followed,
'the Parliament might not be able to ſit; and thoſe
'Forces deſtroying one another, might open ſome
'Opportunity for them to gain their Ends upon
'both Kingdoms; and that then as their Need, ſo
'the Being of the Parliament, might ceaſe; the
'Wiſdom of the Parliament prevented that Miſ-
'chief, and compoſed thoſe great Differences betwixt
'the King and the Kingdom of *Scotland*. That
'Plot failing, they endeavoured to turn the *Engliſh*
'Army againſt the Parliament: This was diſcover-
'ed, the chief Actors fled, and the Danger avoided.

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'Then they labour to ſtir up the *Scots* Army againſt 'us; but ſuch was the Faithfulneſs and Affection 'of thoſe our Brethren, that they could not effect 'it.

'After this they carry the King into *Scotland*, 'to try if a Party could be there raiſed to ſuppreſs 'firſt the good Party in that Kingdom, and ſo com-'paſs their intended Purpoſe here. At the ſame 'Time the Rebellion in *Ireland*, an Egg likewiſe 'of their hatching, breaks out, but their Plot failed 'in *Scotland*; yet, upon Hopes of Succeſs there, 'ſuch Preparatives were here, and ſuch Recourſe of 'ill-affected Perſons to this Town, that the Parlia-'ment thought it neceſſary, for their own Security, 'to have a Guard. The King, upon his Return, 'inſtantly diſmiſſes that Guard, and puts another 'upon us; which produced ſuch ill Effects, as we 'were gladto diſmiſs them, and rather run any 'Hazard than have ſuch a Guard.

'Thus left naked, preſently ſome Members of 'both Houſes are unjuſtly charged with Treaſon; 'and the King comes with a Troop of Cavaliers to 'the Houſe of Commons, to fetch thoſe away by 'Force, whom he had cauſed to be ſo unjuſtly ac-'cuſed; the greateſt Violation of the Privileges of 'Parliament that ever was attempted, and ſo mani-'feſt a Deſtruction of the Right of the Subject, 'which is only preſerved by Parliament, that the 'City of *London* took a pious and generous Reſo-'lution to guard the Parliament themſelves; which 'ſo grieved and enraged thoſe wicked Perſons, who 'had engaged the King in that laſt, and all thoſe 'other Deſigns and Practices againſt the Parliament, 'that they make him forſake *Whitehall*, under 'Pretence that his Perſon was there in Danger; a 'Suggeſtion as falſe as the Father of Lies can in-'vent.

'Then do they work upon him and upon the 'Queen; perſuade her to retire out of the Kingdom, 'and carry him further and further from the Parlia-'ment; and ſo poſſeſs him with an Hatred of it, 'that they cannot put Words bitter enough into his 'Mouth

'Mouth to expreſs it upon all Occaſions: They 'make him croſs, oppoſe, and inveigh againſt all 'the Proceedings of Parliament; encourage and 'protect all thoſe who will affront it; take away 'all Power and Authority from it, to make it con- 'temptible and of leſs Eſteem than the meaneſt 'Court; draw away the Members, commanding 'them to come to him to *York*; and, inſtead of diſ- 'charging their Duty in the Service of the Parlia- 'ment, to contribute their Advice and Aſſiſtance 'to the Deſtruction of it; endeavour to poſſeſs the 'People that the Parliament will take away the 'Law, and introduce an Arbitrary Government; 'a Thing which every honeſt moral Man abhors, 'much more the Wiſdom, Juſtice, and Piety of 'the two Houſes of Parliament; and, in Truth, 'ſuch a Charge, as no rational Man can believe, it 'being impoſſible ſo many ſeveral Perſons, as the 'two Houſes of Parliament conſiſt of, about ſix 'Hundred, and in either Houſe all of equal Power, 'ſhould all of them, or at leaſt the Major Part, agree 'in Acts of Will and of Tyranny, which make up 'an Arbitrary Government; and moſt improbable, 'that the Nobility and chief Gentry of this King- 'dom ſhould conſpire to take away the Law by 'which they enjoy their Eſtates, are protected from 'any Act of Violence and Power, and differenced 'from the meaner Sort of People, with whom, 'otherwiſe, they would be but Fellow-Servants.

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'To make all this good upon the Parliament, 'and either make the Kingdom believe it, or ſo 'awe it that no Body ſhall dare ſay the contrary, 'Force is prepared, Men are levied, and the Malig- 'nant Party of the Kingdom, as was before ſpeci- 'fied, that is, *Papiſts*, the Prelatical Clergy, De- 'linquents, and that Part of the Nobility and Gen- 'try, which either fear Reformation, or ſeek Pre- 'ferment by betraying their Country to ſerve the 'Court, have combined to bury the Happineſs of 'this Kingdom in the Ruin of this Parliament; 'and, by forcing it to cut up the Freedom of Parli- 'ament by the Roots, either take all Parliaments

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away; or, which is worſe, make them the Inſtruments of Slavery, to confirm it by Law, and leave the Diſeaſe incurable.

'That done, then come they to crown their Work, and put that in Execution, which was firſt in their Intention; that is, the Changing of Religion into *Popery* and *Superſtition*.

'All this while the two Houſes of Parliament have, with all Duty and Loyalty, ſtill applied themſelves unto his Majeſty; and labour'd, by humble Prayers, and clear and convincing Reaſons and Arguments, in ſeveral *Petitions*, to ſatisfy him of their Intentions, the Juſtneſs of their Proceedings, their Deſire of the Safety of his Royal Perſon and of the Peace of the Kingdom.

'And only to preſerve that Peace, and prevent the pernicious Practices of theſe Incendiaries, (ſuch as the Lord *Digby*, who at firſt perſuaded the King to get into ſome ſtrong Place, that he might protect thoſe whom he ſtiled the King's Servants; but in Truth ſuch as do divide him from his Parliament and Kingdom, and might be revenged upon his Parliament, where, he ſaid, that Traitors bare that Sway; who, in the mean Time, promiſed he would do him Service abroad; which, by his own Letters, appears to be the Procuring of Supplies againſt the Kingdom and Parliament, with which he himſelf ſaid he would return; as ſince he hath done, diſguiſed, with Store of Arms, in the Ship called *The Providence*; (*q*) and who had attempted, upon the King's firſt going from *Whitehall*, to raiſe ſome Numbers of Horſe and Foot under the Colour of a Guard for his Majeſty, to

(*q*) The Lord *Digby* was taken on board this Ship, in the Character of a *Frenchman*; and, under that Diſguiſe, pretending he could give Informations of the moſt private Circumſtances of the King's Deſigns, was introduced to Sir *John Hotham*; to whom he afterwards diſcovered himſelf; and even propoſed to him the Surrendering up of *Hull* to his Majeſty, which the Governor promiſed his utmoſt Endeavours to effect: But the Project, at this Time, prov'd abortive.—Lord *Clarendon* gives a very minute Account of this extraordinary Negotiation, but it is too long for our Purpoſe. *Vol.* II. p. 705.

In the *Commons Journals* Notice is taken of a *Frenchman*'s being on board the Ship *Providence*, who was ordered to be ſecured.

'to be the Foundation of an Army againſt the Par- An. 18. Car. I.
'liament; which, then failing, hath ſince taken Ef- 1642.
'fect, and ſhews what was then in their Thoughts, Auguſt.
'before *Hull*, or the *Militia*, or any thing elſe of
'that Nature was in Queſtion) the Parliament
'thought fit to ſecure *Hull*, leſt it might be a Re-
'ceptacle of ſuch ill-affected Perſons, and of what
'Aid could be gotten from foreign Parts; the Fleet
'under the Earl of *Warwick* to defend the King-
'dom, and prevent ſuch Miſchief from abroad;
'the Magazine of Arms, that they ſhould not be
'employed againſt us; and the *Militia* of the King-
'dom in ſuch Hands as the Parliament might con-
'fide in, to ſuppreſs Commotions within ourſelves.

'And how neceſſary all this was to be done, the
'ſucceeding Deſigns and Practices upon them do
'all ſufficiently manifeſt; and great Cauſe hath the
'whole Kingdom to bleſs God, who put it into the
'Heads and Hearts of the Parliament to take Care
'of theſe Particulars: For were theſe pernicious
'Perſons about the King Maſters of them, how
'eaſy would it be for them to maſter the Parlia-
'ment, and maſter the Kingdom? And what could
'we expect but Ruin and Deſtruction from ſuch
'Maſters, who make the King, in this Manner, re-
'vile and deteſt us and our Actions? Such, who
'have embarked him in ſo many Deſigns to over-
'throw this Parliament? Such, who have long
'thirſted to ſee Religion and Liberty confounded
'together?

'Let the World now judge what more could
'be done by us, than we have done, to appeaſe his
'Majeſty, and regain his Grace and Favour, if (af-
'ter the Preſenting of ſuch a *Petition* as the laſt was,
'ſo full of ſubmiſſive, humble, affectionate Deſires
'of Peace, ſo full of Duty and Loyalty, as we
'thought Malice itſelf could not have excepted a-
'gainſt; and having received ſo ſharp a Return,
'ſuch Expreſſions of Bitterneſs, a Juſtification and
'avowed Protection of Delinquents from the Hand
'of Juſtice, Demands of ſo apparent Danger, ſuch
'Manifeſtations of an Intention to deſtroy us, and

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'with us the whole Kingdom; and this moſt clearly evidenced by their ſubſequent Actions, even 'ſince theſe Propoſitions have been made unto us 'from his Majeſty; over-running ſeveral Counties, compelling the Trained Bands, by Force, to 'come in and join with them, or diſarming them, 'and putting their Arms into the Hands of leud and 'deſperate Perſons; thereby turning the Arms of 'the Kingdom againſt itſelf) it be not fit for us, 'not only not to yield to what is required, but alſo to make further Proviſion for the Preſervation 'of ourſelves, and of thoſe who have ſent us hither, 'and intruſted us with all they have, Eſtates, Liberty, and Life, and that which is the Life of 'their Lives, their Religion; and even for the 'Safety of the King's Perſon, now environed by 'thoſe who carry him upon his own Ruin, and 'the Deſtruction of all his People, at leaſt to give 'them Warning that all this is in Danger; that if 'the King may force this Parliament, they may 'bid farewell to all Parliaments from ever receiving Good by them; and if Parliaments be loſt, 'they are loſt, their Laws are loſt, as well thoſe 'lately made, as in former Times; all which will 'be cut in ſunder with the ſame Sword now drawn 'for the Deſtruction of this Parliament.

'Then if they will not come to help the Parliament, and ſave themſelves, though both they 'and we muſt periſh, yet have we diſcharged our 'Conſciences and delivered our Souls; and we will 'look for a Reward in Heaven, ſhould we be ſo ill 'requited upon Earth, by thoſe of whom we have 'ſo well deſerved; which we cannot fear, having 'found, upon all Occaſions, ſuch real Demonſtrations 'of their Love and Affection, and of their right 'Underſtanding and Apprehenſion of our and their 'common Danger; eſpecially now that the Queſtion is ſo clearly ſtated, and that it appeareth that 'neither *Hull*, nor the *Militia*, nor the Magazine, 'are the Grounds of the War which is ſo furiouſly 'driven on againſt us by a Malignant Party of *Papiſts*,

'*Aſts*, thoſe who call themſelves *Cavaliers*, and 'other ill-affected Perſons; but ſo far forth only as 'the Parliament, and all the Members of both Houſes, 'and all other Perſons who have ſhewed themſelves 'forward for the Defence of the Sincerity of Reli- 'gion, the Laws and Liberties of the Kingdom, 'and the juſt Power and Privileges of Parliament, 'are preſerved and ſecured thereby. An. 18. Car. I. 1642. Auguſt.

'For the many Deſigns upon the Parliament 'above-mentioned, the Attempts to be poſſeſſed of '*Hull* and of the Magazine, by ſending thither 'Capt. *Legge*, (a Delinquent to the Parliament for 'having had a Hand in the treaſonable Practiſe to 'bring up the Army againſt us) and the Earl of '*Newcaſtle* in a diſguiſed Habit, which was in Pur- 'ſuance of the Lord *Digby's* Advice, and the En- 'deavouring to raiſe Forces under Pretence of a 'Guard to the King's Perſon in the Winter: All 'this, before we medled with *Hull*, or the Ma- 'gazine, or *Militia*, ſhew plainly that our Act in 'ſecuring them was not the Cauſe of the King's 'taking up Arms, and exerciſing Hoſtility upon his 'loving and loyal Subjects, which was in the 'Thoughts and Endeavours of thoſe about the King; 'who then had, and ſtill have, the greateſt Influ- 'ence upon his Councils, before we thought of '*Hull*, or the *Militia*, or any thing elſe of that Na- 'ture; and then that our Reſigning of them, now, 'would not prevail with him to make him lay 'down his Arms, and return to his Parliament, 'and gratify the earneſt and longing Deſires of his 'People, to enjoy his Preſence, Favour, and Pro- 'tection: But that if he could recover, either by our 'Reſignation, or any other Way, a Place of ſo much 'Advantage to him, and Weakening to us, Uſe 'would be made of it to our infinite Prejudice and 'Ruin; the Intention being ſtill the ſame, not to 'reſt ſatisfied with having *Hull*, or taking away the '*Ordinance* of the *Militia*; but to deſtroy the Parlia- 'ment, and be Maſters of our Religion and Liber- 'ties; to make us Slaves, and alter the Govern-

'ment

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ment of this Kingdom, and reduce it to the Condition of ſome other Countries, which are not governed by Parliaments, and ſo not by Laws; but by the Will of the Prince, or rather of thoſe who are about him.

'Yet willingly would we give his Majeſty Satisfaction in theſe Particulars, (and ſo have we offered it) could we be ſecured that, by diſarming ourſelves, and delivering them up to his Majeſty, (as the Sword of Juſtice is already put into the Hands of divers *Popiſh* and other ill-affected Perſons, by putting them into the Commiſſion of the Peace, and other Commiſſions; and putting out others that are well-affected) we ſhould not, to our own Deſtruction, put the Military Sword into the Hands of thoſe evil Counſellors and ill-affected Perſons, who are ſo prevalent with his Majeſty; *Papiſts* many of them, or very late Converts, by taking the Oaths of Supremacy and Allegiance; for which they may very well have a Diſpenſation, or Indulgence, to be enabled thereby to promote ſo great a Service for the *Popiſh* Cauſe, as to deſtroy the two Houſes of Parliament, and, through their Sides, the *Proteſtant* Religion.

'But we have too juſt Cauſe to believe and know, conſidering thoſe continued Deſigns upon us, and the Compoſition of the King's Army and of his Council at this Time, that theſe Things are deſired to be made uſe of to our Deſtruction, and the Deſtruction of that which we are bound, by our *Proteſtation*, to defend; and woe to us if we do it not, at leaſt do our utmoſt Endeavours in it, for the Diſcharge of our Duties and the Saving of our Souls, and leave the Succeſs to God Almighty.

'Therefore we, the Lords and Commons, are reſolved to expoſe our Lives and Fortunes for the Defence and Maintenance of the true Religion, the King's Perſon, Honour, and Eſtate, the Power and Privilege of Parliament, and the juſt Rights and Liberties of the Subject; and alſo for

'the

'the Prevention of that moſt miſchievous De- An. 18. Car. I. 1642.
'ſign, which gives Motion to all the reſt, and hath
'been ſo ſtrongly purſued theſe many Years, the Auguſt.
'Altering of our Religion; which if God in his
'Mercy had not miraculouſly diverted, long ago
'had we been brought to the Condition of poor
'*Ireland*, weltering in our own Blood and Con-
'fuſion.

'And we do here require all thoſe who have any
'Senſe of Piety, Honour, or Compaſſion, to help
'a diſtreſſed State; eſpecially ſuch as have taken
'the *Proteſtation*, and are bound in the ſame Duty
'with us unto their God, their King, and Country,
'to come in to our Aid and Aſſiſtance: This be-
'ing the true Cauſe for which we raiſe an Army,
'under the Command of the Earl of *Eſſex*; with
'whom, in this Quarrel, we will live and die.'

The Lords, next, proceeded in the Cauſe of the Lord Mayor, and the Commons being come up, his Counſel deſired leave to produce two new Witneſſes as to the ſecond Charge; which the Committee of the Commons objected to, but it was over-ruled by the Lords: The Counſel then produced Sir *John Gaire*, Alderman, who ſaid, 'That he remember'd, about the End of *February* laſt, there was a Meeting at the Lord Mayor's Houſe, at the Requeſt of ſome Commoners, concerning a *Petition* drawn by Mr. *Benyon*, in which the Aldermen were to give their Opinion; who, having read it, withdrew themſelves to conſider of it. That the Lord Mayor conſented to it no more than any of the reſt.'— One of the Sheriffs, Mr. *Clarke*, depoſed to the ſame Purpoſe. The Lord Mayor's Defence againſt his ſecond Impeachment.

The Counſel next proceeded in their Defence againſt the Charge of not puniſhing a notorious Riot. They deſired it might be obſerved on what Perſons the Riot was committed. It was ſaid, That divers Inferences, given in Evidence, were not charged in the Impeachment; as the Entertainment and Feaſting of them, and his bidding them go to the Committee: That a Riot cannot be committed by a ſingle

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ſingle Perſon; for there was but one of the three Men, brought before the Lord Mayor, to be bound over concerning the Riot: That the Lord Mayor ought not to deliver the Information out of his Hands, being the King's Evidence: That the Croſs in *Cheapſide*, which they were going to pull down, was a Boundary of a great many Inheritances of Houſes about it: And that People had faſtened Ropes to pull down this Croſs, on *Candlemas-Day* laſt; to prevent which the Lord Mayor did double the Watch, and gave out *Warrants* to cauſe ſome of the Trained Bands to go to diſperſe the Tumult. To prove all this,

Mr. Sheriff *Clarke*, depos'd, 'That, on *Candlemas-Day* laſt, about Four in the Afternoon, the Lord Mayor ſent for him, and he found many People at his Houſe, examining the Buſineſs concerning the Croſs; and that he ſent out *Warrants* to two of the Captains of the Trained Bands to come and ſuppreſs the Tumult; and he called the other Sheriff, and made Proclamation to command the People to depart. That the 'Prentices demanded their Fellows out of Priſon, committed by the Lord Mayor; and went to the *Compter*, and did begin to pull down the Houſe for them; but the Trained Bands prevented it. And, *laſtly*, that he had Power from Parliament, the 11th of *January* laſt, to raiſe the Trained Bands.'

Other Witneſſes were produced to prove the Tumult, and that they were knock'd down in endeavouring to ſuppreſs it; being Conſtables, *&c.* The further Proceedings deferred for two Days.

Auguſt 4. Both Houſes were ſtill buſy in giving out written *Inſtructions* for their Deputy-Lieutenants in ſeveral Counties; and in granting Indemnities to Cities, Towns, and even to particular Perſons, who had any ways ſignalized themſelves in their Service.

Pottſmouth declares for the King.

Some Places, however, had the Reſolution to declare for the King; amongſt which the important Town of *Portſmouth* was one, whoſe Governor,

Co-

Colonel *Goring* had not only declared himſelf againſt the Parliament; given an Oath to the Garriſon there for that Purpoſe, and thoſe that would not take it he had thruſt out of the Town; but alſo, as the Commons were informed, taken into the Fort many *Papiſts* with Proviſions. An. 18. Car. I. 1642. Auguſt.

This Piece of News was communicated to the Lords this Day, at a Conference, by the Commons; who likewiſe ſaid, They had conſidered the beſt Way to reduce this Town was to ſecure the Iſle of *Wight*, whoſe Governor, the Earl of *Portland*, they ſuſpected, becauſe his Wife, they ſaid, was a Recuſant, her Brother voted a Malignant, and his Brother in the Town of *Portſmouth*. That the Commons looked upon this Earl to be, legally, a Perſon not fit for that Command; becauſe the Cuſtody of the Iſle belonged to the Earl of *Pembroke*, as Lord Lieutenant of *Hampſhire*. *Laſtly*, They deſired the Earl of *Portland* might be put into ſafe Cuſtody, and he was committed to the Keeping of one of the Sheriffs of *London* for the preſent; but, in a Day or two after, on Suſpicion that he was concerned in the Surrender of *Portſmouth* to the King, he was ſent to the *Tower*. The Earl of Portland committed to the Tower.

'Tis not improbable that his Lordſhip's being the only Peer that oppoſed the *Ordinance* for the Earl of *Eſſex*'s Commiſſion of Captain-General, as before taken Notice of, might be one Motive to the Reſentment of the Commons againſt him; ſince we find that, two Days after, the Earl of *Leiceſter* and the Lord *Spencer* (who, together with the Earl of *Portland*, were the only Oppoſers of the *Reſolutions* of the 6th of *July*, for raiſing 10,000 Foot out of the Liberty of *London* and Counties adjacent, and for ſending ſome Ships of War and 2000 Men into *Hull*) were removed from their Lieutenancies of *Kent* and *Northamptonſhire*; altho' they had, both, concurred with the Majority in almoſt all their former Proceedings, and the latter had executed the Parliament's *Ordinance* for the *Militia* with great Vigour. ——The Earl of *Peterborough* was appointed Lord Lieutenant of *Northamptonſhire*, and the Alterations in the Lieutenancies of Counties.

An. 18. Car. I. 1642. Auguſt. the Earl of *Leiceſter* was ſucceeded in *Kent* by the Earl of *Pembroke*. By this Addition of Power the laſt named Earl was, at one and the ſame Time, Lord Lieutenant of *Wiltſhire*, *Hampſhire*, the Iſle of *Wight*, *Kent*, and the Shires of *Monmouth*, *Brecon*, *Glamorgan*, and *Caernarvon*.

The ſame Day the Lords agreed to the following Form of an *Oath*, which the Commons had ſent up to them, as neceſſary to be propounded to the Officers to be raiſed under the Command of the Earl of *Eſſex*:

Oath to be taken by the Officers of the Parliament's Army.

I A. B. *choſen to be an Officer in the Troops now raiſed by* Ordinance *of Parliament, under the Command of the Earl of* Eſſex, *do hereby vow, promiſe, and proteſt, in the Preſence of Almighty God, that, in this Employment and Service, I will defend, maintain, and obey the two Houſes of Parliament; and, in purſuance of their Direction and Command, the Right Honourable* Robert *Earl of* Eſſex, *as Captain-General of all the Forces raiſed, and to be raiſed, for the Defence of the* Proteſtant *Religion, the King's Perſon, Honour, and State, the Power and Privileges of Parliament, and the juſt Rights and Liberties of the Subject, and the Security and Peace of the Kingdom; and will, to the utmoſt of my Power, oppoſe, reſiſt, and ſubdue all Force raiſed againſt them, by Pretence or Colour of any* Commiſſion *or* Warrant *whatſoever.*

Auguſt 5. The Lords were informed by the Commons, at another Conference, That the Lord Marquis of *Hertford*, Sir *Ralph Hopton*, Captain *John Digby*, and ſeveral other Gentlemen, were come into the *Weſt* of *England*, in order to put the King's *Commiſſion* of *Array* in Execution, by Force: That the Commons had expelled Sir *Ralph Hopton*, and the reſt of their Members concern'd in this Affair, and had ſent for them as Delinquents; and left it to their Lordſhips Conſideration what to do with theirs.

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An intercepted Letter from the Marquis of *Hertford* to the Queen was read as follows; An. 18. Car. I. 1642. Auguſt.

Madam,

I Am now emboldened by your Majeſty's Commands to give you the Trouble of a few Lines, which, formerly, I have done with ſome Scruple, fearing to intrench too much on your Majeſty's Patience. His Majeſty's Affairs are now, I hope, in a proſperous Way, and the Affections of his People break out every Day more and more; who begin to have their Eyes open, and will, I believe, be no longer deluded with imaginary Fears and Jealouſies. An intercepted Letter from the Marquis of Hertford to the Queen.

The King takes his Journey To-morrow towards Lincolnſhire, *invited thereunto by a great Number of the beſt Gentlemen of that County. The Prince goes with him; but his Majeſty has commanded me to return to* York *with the Duke, where he is to remain till the King comes back, under the Charge of the Lord* Dorſet; *becauſe, by his Majeſty's Commands, I am, with all Speed, to repair to the* Weſt *to put his* Commiſſion *of* Array *in Execution; which I make no doubt to perform without any great Difficulty, if God proſper us, as I truſt he will in ſo good a Cauſe. We ſhall then ſhortly, I hope, be bleſs'd and cheared up with your Majeſty's long-wiſh'd for Preſence, and,* Hey then, down go they; *and, to our greater Encouragement,* Sampſon *is come over to us.*

Madam, your Majeſty may perceive that I hope well, that I preſume to be thus merry with you; but, I hope, you will pardon it, with all the other Errors and Preſumptions of,

Madam,

Your Majeſty's moſt humble,

Beverley, July 11. 1642.

moſt faithful, and

moſt obedient Servant,

HERTFORD.

The

An. 18. Car. I. 1642. Auguſt. The Lords *ordered*, That the Lord Marquis of *Hertford*, with the Lords *Pawlet* and *Seymour* ſhould be ſent for as Delinquents, for uſing Force, to the Terror of the People, in putting the *Commiſſion* of *Array* in Execution; and that the Sheriffs do apprehend them; the Lord Lieutenants and Deputy-Lieutenants to be aiding and aſſiſting therein.

Further Proceedings in the Lord Mayor's Defence. They next proceeded in the Lord Mayor's Trial, and his Counſel began to make his Defence to the fifth Article of the Charge; which was, That the Lord Mayor refuſed to call a Common Council for the ſtowing the Magazine, according to an *Order* of Parliament. He ſaid,

'That whereas there was an *Order* mentioned in the Charge, *June* 21. he alledged there was no ſuch *Order* made, nor no ſuch Contempt ſhewn. The *Order* of the 13th of *January* being only to call a Common Council, *&c.* and no Members of the Houſe of Commons came to the Lord Mayor's Houſe concerning it. That the Lord Mayor, without a Court of Aldermen, cannot call a Common Council. That it was called *pro Communi Commoditate:* That every Citizen was intereſted in it; and that every Commoner might preſent what they would to them.' He then produced a Copy of a Grant, 15. *Edward* III. but this being only in a Book, the Lords would not admit it to be read, but only the Charter of the City.

Mr. *Moſs* depoſed, 'That he had been a Clerk in the City's Court ever ſince the Year 1599: That he had obſerved it to be the common Uſe, before a Common Council be called, that the Matter was debated; and an *Order* made that, ſuch a Day, the Common Council ſhall be called.'

Mr. *Mitchel* ſaid, 'A Common Council had always been ordered by a Court of Aldermen, till of late, within a Year or two, it hath been by *Order* of Parliament.'

The Counſel added, 'That the Lord Mayor heard not of the *Reſolution* of Parliament till the 6th of *July*; and concluded with a Deſire, That if

if any Thing new came out, they might be heard again; if not, he referred the Buſineſs to their Lordſhips Conſideration.' An. 18. Car. I. 1642. Auguſt.

Ordered, That the Reply of the Houſe of Commons ſhall be heard on the ninth Inſtant.

Auguſt 8. The Lords ſent a Meſſage to the Commons to deſire a Conference concerning a *Petition* from ſome Noblemen, Knights, and Gentlemen of the County of *York*, which had been preſented and read in their Houſe. This *Petition* being already given in the Proceedings of the 26th of laſt Month, we have only to add, That a Conference was held this Day accordingly; and it is plain that the *Petition* offended both Houſes extremely, ſince we find, in the *Commons Journals*, this Cenſure paſs'd upon it.

Sir *John Evelyn* told the Houſe, 'That the Lords Opinion of it was, That this was one of the higheſt and moſt inſolent *Petitions* that ever came to the Parliament; and are reſolved to have Juſtice done upon thoſe Perſons, that did thus challenge and defy the Parliament. They made no Doubt but that a Party would be there found to make that Country too hot for them. They likewiſe deſired it might be referred to a Committee, to conſider what was fit to be done thereupon.' The late Yorkſhire Petition cenſured.

Soon after Mr. *Pymme* reported from the Committee for the Defence of the Kingdom, 'That an *Ordinance* was made to paſs both Houſes, for the Lord Lieutenants to raiſe Forces in Counties to oppoſe thoſe traiterous Perſons that are againſt the Parliament, and with them to fight;' which was read and agreed to.

The ſame Day another *Ordinance* was paſs'd for appointing Sir *Henry Vane*, *Jun.* to be Treaſurer of the Navy: The Earl of *Eſſex* was, alſo, appointed Lord Lieutenant of the County of *Hereford* inſtead of the Lord *Dacres*; and Lord *Say* and *Sele* of *Glouceſterſhire*, in the room of Lord *Chandois* who had joined the King, and ſince executed his Majeſty's Commiſſion of *Array* in that County.

Auguſt

An. 18. Car. I. 1642. August.

Auguſt 9. The Lords reſumed the Trial of the Lord Mayor of *London:* He being brought again to the Bar, and the Committee of the Commons being come, Serjeant *Wylde* began to open the Reply, but was ſtopped by the Priſoner's Counſel, who deſired that ſome Part of the Charter of *London* might be read, which was offered the laſt Time; intimating, That the Lord Mayor and Aldermen, with the Conſent of the Common Council may vote; which being done, the Serjeant proceeded and ſaid,

'That whereas it had been inſiſted on, That the Charge againſt the Lord Mayor was too general and uncertain, this Houſe, being the higheſt Court, was not bound to the Formalities of the inferior Courts. That the Lord Mayor ought to take Notice of the Law, in all Caſes; *Proclamations* cannot alter the Law. And, as to the three *Petitions* in the ſecond Charge; theſe three are but one, with ſome few Alterations. And as to the third Charge, about the Riot in *Cheapſide*; and the other, the not calling a Common Council, he ſaid nothing to the former; but the Common Council in *January*, he urged, was called by Command of the King and held in the Morning; but that which was appointed by the Court of Aldermen, in the Afternoon. *Laſtly*, he concluded, ſomewhat abruptly, in ſaying, That the Houſe of Commons deſired to be diſburdened of this Lord Mayor, and that he might be puniſhed.'

Auguſt 10. The Lords took into Conſideration the Evidence given againſt the Lord Mayor of *London*, upon the Impeachment of the Commons. And, after mature Deliberation of the whole Matter, whether it be fit or ſafe that he be Governor of the City at this Time, they came to the following *Reſolutions*.

Reſolved, upon the Queſtion, 'That the Lord Mayor cauſed the illegal *Proclamation*, for the *Commiſſion* of *Array*, to be publiſhed.'

Re-

Reſolved, &c. 'That the *Petition*, charged in the Impeachment to be ſent to the King, was by the Lord Mayor's Procurement.' An. 18. Car. I. 1642. Auguſt.

Reſolved, &c. 'That the Lord Mayor did not ſuppreſs the Riot; but did countenance it.'

Reſolved, &c. 'That the Lord Mayor did refuſe to call a Common Council at the Time both Houſes of Parliament did command him to do it.'

Theſe Matters of Fact being *reſolved*, the Lords gave the following Sentence on him:

1. *That Sir* Richard Gurney, *Knt. and Bart. Lord Mayor of the City of* London, *ſhall be deprived of that Office.* The Sentence paſſed upon the Lord Mayor.

2. *That he ſhall, hereafter, be incapable of holding any Office in the City.*

3. *That he ſhall be incapable to bear or receive any further Honour hereafter.*

4. *That he ſhall be impriſoned in the* Tower *of* London *during the Pleaſure of this Houſe.*

This Sentence againſt the Lord Mayor was pronounced, with the uſual Ceremony, by the Lord *Kimbolton*.

The ſame Day the Commons, after reading ſome Letters of Intelligence from *Devonſhire* and *Cornwall*, expelled ſeveral more Members of their Houſe; who, with others, were ſent for up as Delinquents.

Auguſt 11. A *Letter* came from the King, this Day, directed to the Speaker of the Houſe of Lords, with a *Proclamation* incloſed, commanding that it ſhould be read; which was done accordingly.

The *Proclamation* had this Title, *For ſuppreſſing the preſent Rebellion, under the Command of* Robert *Earl of* Eſſex; *and the gracious Offers of his Majeſty's free Pardon to him and all ſuch his Adherents, as, within ſix Days after Date hereof, ſhould lay down their Arms.* Dated at the Court at *York*, *Auguſt* 9. 1642. The King proclaims the Earl of Eſſex, and his Adherents Rebels.

After this was read, the Earl of *Eſſex* ſtood up and ſaid, 'That he was made General by the De-

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ſire, Command, and Authority of both Houſes of Parliament, and not of his own ſeeking; and he proteſted, that his Actions ſhould ſhew him as dutiful a Subject as any the King had.'

The Lords took this Matter to be of high Concernment, as the Threatening and Proclaiming of both Houſes of Parliament Rebels; and *reſolved* to have a Conference with the Commons about it preſently. This Conference was held the ſame Day, and the Report of it made in the Houſe of Commons, by Sir *Robert Harley*, was to this Effect:

A Conference thereupon.

'The Lord *Kimbolton* ſaid, That the Lords deſired this Conference to acquaint the Commons with a *Letter* and a *Proclamation* they had received from the King: That there needed no Language to it; if there had, the Lords would have choſen a better Speaker; but the Words gave Advantage ſufficient, which he was to read unto them, and then give the Senſe of the Lords upon it.' After the *Letter* and *Proclamation* were read, his Lordſhip proceeded and ſaid, 'There needed no great Expreſſion to make them ſenſible of this *Proclamation*; they heard the Earl of *Eſſex* was proclaimed a Traitor, and all Commanders under him, and all that adhered unto them; and, in thoſe, the Parliament and the honeſt Party of the Kingdom were proclaimed Traitors: That theſe were big Words of Terror; but the Lords had well conſidered the Grounds before they entered into this Action; which was for the Maintenance of the Law, Religion, Liberty of the Subject, and Privilege of Parliament: Upon which Grounds they commanded him to let them know, That, with one Conſent, they reſolved to go on with yet greater Vigour than before.'

The Earl of *Eſſex* ſpoke next, at the Conference, and ſaid much the ſame as he had before to the Lords, except adding, 'That he was as ready to adventure his Life for Defence of the Law, as the other great General for the Breach of it.'

After hearing this Report, the Commons immediately *voted*, 'That whereas the Parliament had formerly choſen the Earl of *Eſſex* to be Captain-Ge-

General of ſuch Forces as were or ſhould be raiſed, for the Maintenance and Preſervation of the true *Proteſtant* Religion, the King's Perſon, the Laws of the Land, the Peace of the Kingdom, the Liberty and Property of the Subject, and the Rights and Privileges of Parliament; this Houſe doth now *declare*, That they will maintain and aſſiſt him, and adhere unto him, with their Lives and Fortunes, in the ſame Cauſe.'

An. 18. Car. I. 1642. Auguſt.

The Parliament reſolve to ſupport them with their Lives and Fortunes.

A *Memorandum* is enter'd, That when this Queſtion was put, every Man roſe up in his Place, one after another, and gave a diſtinct Anſwer to it. And it was *reſolved*, That ſuch Members as were abſent ſhould alſo declare themſelves, from Time to Time, at their coming into the Houſe.

Auguſt 13. This Day Sir *Robert Harley*, Knight of the *Bath*, brought up to the Lords an Impeachment of the Commons againſt *William* Marquis of *Hertford*, *Spencer* Earl of *Northampton*, and *Henry Haſtings*, Eſq; ſecond Son to the Earl of *Huntingdon*, for High Treaſon, in actually levying War againſt the King and Kingdom; and deſired that ſpeedy Proceedings might be had againſt them, according to Law and Juſtice.

The Marquis of Hertford, &c. impeached of High Treaſon by the Commons.

On this the Lords directed a *Proclamation*, and *Writs* to be ſent out to the Sheriff, to ſummon the ſaid Lords to appear at the Bar of the Houſe on the 29th Inſtant, to anſwer to this Impeachment, *ſub Pœna Convictionis*.

So many People of Quality, and others, had been ſent for, as Delinquents, by the Houſe of Lords, about this Time, that their Gentleman-Uſher's Bill, for Meſſengers, *&c.* the Particulars of which were given in this Day, amounted to above 600 *l.* at, ſeemingly, very moderate Rates.

A *Declaration* and *Reſolution* of Parliament, in anſwer to the King's late *Proclamation* againſt the Earl of *Eſſex*, *&c.* was this Day read and agreed to by both Houſes; wherein they ſolemnly profeſs,

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'That they will really endeavour to make both his Majeſty and his Poſterity as great, rich, and potent; as much beloved at home and feared abroad as any Prince that ever ſwayed the *Britiſh* Sceptre, on Condition that he will immediately disband all his Forces; abandon and leave to condign Puniſhment his wicked Counſellors; (who have now adviſed and prevailed with his Majeſty, by this *Proclamation*, to invite his Subjects to deſtroy his Parliament and good People by a Civil War; and, by that Means, to bring Ruin, Confuſion, and perpetual Slavery upon the ſurviving Part of a then wretched Kingdom) and return and hearken to the wholeſome Advice of his Parliament.' *(r)*

The Parliament's Anſwer to the King's laſt Proclamation.

His Majeſty forbids all Recuſants from joining his Army.

The ſame Day the King iſſued out another *Proclamation*, declaring his Majeſty's expreſs Command, That no *Popiſh Recuſant*, nor any other who ſhall refuſe to take the two Oaths of Allegiance and Supremacy, ſhall ſerve him in his Army; and that the Soldiery commit no Rapines upon the People, but be fitly provided with Neceſſaries for their Money.

And publiſhes a Declaration to the People againſt the Parliament.

Two Days after the King publiſhed a *Declaration* to all his loving Subjects, concerning the Proceedings of this preſent Parliament, dated *Aug.* 12. 1642. In this Piece 'His Majeſty recapitulates every remarkable Circumſtance, from his firſt Reſolution of ſummoning this Parliament; repreſents to the People all that he had done, and endeavoured, in favour of his Subjects, and to ſatisfy the Deſires of his Parliament; and diſplays, in the ſtrongeſt Light, the ungrateful Returns he had met with from them, *&c.*' But this Piece we are obliged, on account of its exceſſive Length, to paſs over with a Reference; which we are the rather inclined to do, ſince we do not find any *Anſwer* to it was ever publiſhed on the Part of the Parliament. *(s)*

Auguſt

(r) This *Proclamation* at Length, with the Parliament's *Anſwer* to it, is in *Ruſhworth*, Vol. IV. p. 769, and *Husband*, p. 503.

(s) This *Declaration* may be found at large in *Husband's Collections*, from p. 514 to 562, and in the *Folio* Edition of the King's Works, Vol. II. from p. 134, to 194.

Auguſt 16. The Houſe of Commons received the following *Meſſage* from the King, dated from the Court at *York* the 13th of this Month: An. 18. Car. I. 1642. Auguſt.

His Meſſage to the Houſe of Commons, upon their taking 100,000 l. from the Supplies for Ireland.

'HIS Majeſty taking Notice of an *Order* lately made by the Houſe of Commons, whereby 'that Houſe hath unduly aſſumed to themſelves Au- 'thority to order, direct, and diſpoſe of 100,000 *l.* '(Part of thoſe Monies, which the Adventurers for 'the reducing of the Rebels of *Ireland* have paid to 'that End and only to that Purpoſe) to other Uſes 'and Intents, contrary to the expreſs Words of the 'Act of Parliament concerning the ſame; wherein 'it is enacted, *That no Part of the Money which 'ſhould be paid in, according to that Act, ſhall be em- 'ployed to any other Purpoſe than the Reducing of thoſe 'Rebels, untill they ſhall be declared to be ſubdued*; 'out of his Piety and Princely Care for the Con- 'firming and Re-eſtabliſhment of God's true Reli- 'gion in that his Kingdom of *Ireland*, for the Re- 'lief of his diſtreſſed Subjects there, for the Suppreſ- 'ſing of that horrid and bloody Rebellion, and for 'the Supply and Payment of his Army there, now 'in great Want and Neceſſity, doth ſtrictly require 'the Houſe of Commons, as they will anſwer the 'Contrary to Almighty God, his Majeſty, and thoſe 'that have truſted them, That they immediately 'retract that miſchievous, illegal, and unjuſt *Order*, 'wherein his Majeſty expecteth their ſpeedy Anſwer 'and Obedience: And the rather that he may, 'thereby, be ſecured, that ſuch Part of the 400,000 *l.* 'as is, or ſhall be, collected from his good Subjects 'of *England*, by virtue of the late Act of Parlia- 'ment, whereby the ſame is granted, may not like- 'wiſe, under falſe Pretences, be diverted from its 'proper Uſe for which it was intended; and miſ- 'employed, to the Diſturbance of the Peace of this 'Kingdom, in a War againſt his Sacred Majeſty.'

Soon after the following *Anſwer* of the Houſe of Commons to this *Meſſage* was, by them, ordered to be printed and publiſhed.

An. 18. Car. I. 1642. Auguſt.

Their Anſwer to the King's Charge.

'THE Houſe of Commons having received a *Meſſage* from his Majeſty of the 13th of *Auguſt* laſt, whereby they are required to retract an *Order* made by them, for the Borrowing of 100,000 *l.* of the Adventurers Money for *Ireland*, ſuppoſing that *Order* very prejudicial to the Affairs of *Ireland*, and contrary to an Act of Parliament made this preſent Seſſion; do, in the firſt Place, *declare*, That theſe Directions given by his Majeſty, for the retracting of this *Order*, is an high Breach of the Privilege of Parliament: And that they cannot, without a deep Senſe of Sorrow, call to Mind how *Popiſh* and *Prelatical* Counſels did ſo far prevail with his Majeſty, that two Armies were brought within the Bowels of this Kingdom, and two *Proteſtant* Nations ready to welter in each other's Blood: That when both thoſe Armies had been a long Time defrayed at the Charge of the poor Commons of *England*, and, at length, by God's Bleſſing upon the Endeavours of the Parliament, quietly diſbanded, the ſame wicked Counſels, prevented of that Deſign, did ſoon after raiſe this bloody and barbarous Rebellion in *Ireland:* The Suppreſſing whereof, for the better Colour, was recommended to the Care of the Parliament; who, out of a Fellow-feeling of the unſpeakable Miſeries of their *Proteſtant* Brethren there, (not ſuſpecting this horrid Plot, now too apparent) did chearfully undertake that great Work; and do really intend and endeavour to ſettle the *Proteſtant* Religion, and a permanent Peace in that Realm; to the Glory of God, the great Honour and Profit of his Majeſty, and Security of his three Kingdoms: But how they have been diſcouraged, retarded, and diverted in and from this pious and glorious Work, by thoſe traiterous Counſels about his Majeſty, will appear by many Particulars, ſome whereof they ſhall, upon this juſt Occaſion, call to Remembrance.

'That when the Lords and Commons had, upon the firſt breaking out of the Rebellion, immediately

'diately provided and ſent over 20,000*l.* and en- An. 18. Car. I. 1642.
'gaged themſelves and the whole Kingdom for the
'reducing of the Rebels: Yet his Majeſty, after Auguſt.
'his Return from *Scotland* to *London*, was not plea-
'ſed, either by Word or Meſſage, to take Notice of
'it, untill after ſome in the Houſe of Commons
'had truly obſerved how forward thoſe miſchievous
'Counſellors were to incite his Majeſty againſt his
'*Proteſtant* Subjects of *Scotland*, and how ſlow to
'reſent the Proceeding of his *Papiſt* Traitors in
'*Ireland*.

'That although the Rebels had moſt impudently
'ſtiled themſelves *The Queen's Army*, and profeſs'd
'that the Cauſe of their Riſing was, to maintain
'the King's Prerogative and the Queen's Religion,
'againſt the *Puritan Parliament* of *England*; and
'that thereupon both Houſes of Parliament did,
'humbly and earneſtly, adviſe his Majeſty to wipe
'away this dangerous Scandal, by proclaiming them
'Rebels and Traitors to his Majeſty and the Crown
'of *England*; which then would have mated (*t*)
'and weakened the Conſpirators in the Beginning,
'and have encouraged both the Parliament here, and
'good People there, the more vigorouſly to have
'oppoſed their Proceedings: Yet ſuch was the
'Power of thoſe Counſels, that no *Proclamation*
'was ſet forth to that Purpoſe, untill almoſt three
'Months after the Breaking out of this Rebellion;
'and then Command given that but forty ſhould
'be printed, nor they publiſhed till further Direc-
'tions ſhould be given by his Majeſty.

'That after both Houſes of Parliament had found
'out a probable Way to reduce the Kingdom of
'*Ireland*, by the Adventure of private Men, with-
'out any Charge to the Subject in general; and
'which, they are very confident, would have
'brought in a Million of Money, had his Majeſty
'continued in or near *London*; thoſe malicious
'Whiſperers, that durſt not hinder the Paſſing of
'the Bill, which was ſo ſpecious in itſelf and ſo
'generally approved, yet have, by Practice, by
'drawing

(*t*) Subdued or conquer'd. *Spencer.*

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'drawing his Majeſty from his Parliament, by 'keeping him at this Diſtance, and adviſing him 'to make War upon his People, ſo intimidated and 'diſcouraged the Adventurers, and others that would 'have adventured, that they have rendered that 'good Bill in a Manner ineffectual.

'That the Parliament and Adventurers had, 'long ſince, deſigned 5000 Foot and 500 Horſe 'for the Relief of *Munſter*, to be ſent as a Brigade, 'under the Command of the Lord *Wharton*; had 'made Choice of and liſted all the Commanders, 'and prepared Money, Arms, and other Proviſion 'for that Expedition, and all to be at the Charge 'of the Adventurers: And when nothing was 'wanting but a Commiſſion to the Lord *Wharton*, 'to enable him for that Service, ſuch was the Power 'of thoſe Counſels, that no Commiſſion could be 'obtained from his Majeſty; by reaſon whereof '*Limerick* was wholly loſt, and the Province of '*Munſter* is now in very great Diſtreſs.

'That when divers pious and well-affected Per-'ſons had prepared twelve Ships and ſix Pinnaces, 'with 1000, or more, Land Forces, at their own 'Charge, by way of Adventure, for the Service of '*Ireland*, and deſired nothing but a Commiſſion 'from his Majeſty to enable them thereunto; that 'Commiſſion, after twice ſending to *York* for the 'ſame, and the Ships lying ready to ſet Sail for 'three Weeks together, at the Charge of near 300 *l.* 'a Day, was likewiſe denied; and thoſe Adven-'turers, rather than loſe their Expedition, were 'conſtrained to go by virtue of an *Ordinance* of 'both Houſes of Parliament.

'That although the Lords Juſtices of *Ireland* 'have, three Months ſince, earneſtly deſired to 'have two Pieces of Battery ſent over, as very ne-'ceſſary for that Service; yet ſuch Commands are 'given to the Officers of the *Tower*, that none of 'his Majeſty's Ordnance muſt be ſent to ſave his 'Majeſty's Kingdom.

'That altho', whilſt the Earl of *Leiceſter* ſtaid 'here in the Service of the Parliament, and in pro-'viding

'viding for his long-expected Voyage into *Ireland*, An. 18. Car. I.
'a *Meſſage* was ſent to the Parliament from his 1642.
'Majeſty, to haſten him away; and Letters were Auguſt.
'written to the ſaid Earl from his Majeſty, that he
'ſhould make no Stay at *York* for his Diſpatch,
'but that his *Inſtructions* ſhould be ready for him
'againſt he came; and although it is notoriouſly
'known that the Affairs of *Ireland* do exceedingly
'ſuffer by wanting the perſonal Aſſiſtance of a
'Commander in Chief, to give both Life and Mo-
'tion to the Army there: Yet the ſaid Earl hath
'been ſtayed with his Majeſty, in the *North*, a
'Month and more, and, as yet, can get no Diſ-
'patch.

'That, notwithſtanding the bleeding Condition
'of *Ireland*, yet divers Commanders and Officers
'in Pay, and in actual Employment there againſt
'the Rebels, have been called away from that im-
'portant Service, by the expreſs Command of his
'Majeſty; as *Charles Lloyd*, Engineer and Quarter-
'maſter-General of the Army in *Ireland*, and di-
'vers others.

'That Captain *Green*, Comptroller of the Ar-
'tillery, a Man in Pay, and principally employed
'and truſted here by the Lord-Lieutenant of *Ire-*
'*land*, for the providing and ordering the Train of
'Artillery which was to be ſent to *Dublin*, and
'who had received great Sums of Money for that
'Purpoſe, was commanded from that Employment
'and Truſt, to ſerve his Majeſty in this moſt un-
'natural War againſt his loyal and beſt-affected
'People.

'That the Parliament having made great Provi-
'ſion of Cloaths for the poor Soldiers in *Ireland*,
'for their preſent Succour, and ſending 600 Suits,
'Part thereof, towards *Cheſter*, the laſt Week; the
'Man that undertook the Carriage of them, one
'*William Whitaker* by Name, was aſſaulted by his
'Majeſty's Cavaliers, then lying about *Coventry*;
'who took away theſe 600 Suits of Cloaths, and
'the Waggon and Horſes of the poor Man, altho'
'they were told that the 600 Suits of Cloaths were

'for

An. 18. Car. I. 1642. August.

'for the Soldiers in *Ireland*; and notwithſtanding 'the poor Carrier was, five Times, with the Earl 'of *Northampton*, to beg a Releaſe of his Waggon.

'That 300 Suits of Cloaths, with a Chirurgeon's 'Cheſt of Medicaments, being likewiſe ſent for *Ire-* 'land by one *Richard Owfield*, who was employ'd 'by the Parliament to carry them to *Cheſter*; a 'Troop of his Majeſty's Cavaliers, under the Com- 'mand of one Captain *Middleton*, met with them 'upon the Road, and took away the Cloaths and 'Chirurgeon's Cheſt, together with the poor Car- 'rier's Horſes and Waggon, for his Majeſty's pre- 'tended Service here.

'That a great Number of Draught Horſes, pre- 'pared by the Parliament for the Artillery and Bag- 'gage of the *Iriſh* Army, were ſent to *Cheſter* for 'that Purpoſe; and being there, attending a Paſ- 'ſage, are now required by his Majeſty for his 'ſaid preſent Service in *England*.

'That his Majeſty's Forces are ſo quartered in 'and about the common Roads to *Ireland*, that 'neither Money, Cloaths, Victuals, or other Pro- 'viſion, can paſs thither by Land with any Safety.

'That Captain *Kettleby* the Admiral, and Sir 'Henry *Stradling* the Vice-Admiral, of the Ships 'which were directed to lie upon the Coaſt of *Ire-* 'land, to annoy the Rebels, and to prevent the 'bringing to them Ammunition and Relief from 'foreign Parts, are both called away from that 'Employment, by his Majeſty's Command; and, 'by reaſon of their Departure from the Coaſt of '*Munſter*, to which they were deſigned, the Rebels 'there have received Powder, Ammunition, and 'other Relief from foreign Parts; by which, and 'many other Particulars too long to relate, it may 'ſeem as if thoſe barbarous *Iriſh Rebels* are kept on 'foot and countenanced there, of Deſign to aſſiſt 'the *Northern Cavaliers*; and, according to the 'Earl of *Strafford*'s unheard-of Advice, to have 'an Army in *Ireland*, with which his Majeſty may 'reduce this Kingdom; eſpecially conſidering thoſe 'confident Rebels have preſumed, very lately, to

'ſend

'ſend a *Petition* to his Majeſty, intitling themſelves 'his Majeſty's *Catholic Subjects* of *Ireland*, and 'complaining of the *Puritan Parliament* of *En-* 'gland; and deſiring, that ſince his Majeſty comes 'not thither according to their Expectation, that 'they may come into *England* to his Majeſty; 'which *Petition*, we may juſtly fear, is but a Pro- 'logue to that Tragedy they have deſigned to act 'here, in caſe their Coming over be not prevented 'by the Care and Vigilancy of the Parliament and 'the good People of *England*. But leſt the Houſe 'of Commons might excuſe the making of this 'Order by way of Recrimination, they, for Sa- 'tisfaction to the World, do proteſt before Al- 'mighty God, the Searcher of all Hearts, That 'they have as great Compaſſion and Sorrow for 'the preſent Sufferings of their diſtreſſed Brethren 'in *Ireland*, as if themſelves were in their Caſe; '(into which they are confident thoſe horrid Trai- 'tors, thoſe Monſters of Men about his Majeſty, 'do labour to bring this Kingdom) that they have, 'and ſhall ever really endeavour, by all poſſible 'Means, with a due Regard to the preſent State 'of this Kingdom, to ſupply and ſupport them in 'this their great Affliction, notwithſtanding the 'Malice and Obſtructions of all Oppoſers.

An. 18. Car. I. 1642. Auguſt.

'That the Houſe of Commons, lively apprehend- 'ing the imminent Danger of this Kingdom, and 'finding that whilſt they were active here to ſub- 'due the Rebels of *Ireland*, there were *Papiſts*, 'Traitors, and Delinquents, more active in the '*North*, to conquer and deſtroy the Parliament 'and good People of *England*, thought it neceſſary 'to provide for the Safety of both, by preparing a 'competent Army for the Defence of King and 'Kingdom: And altho' Multitudes of well-affected 'Perſons had chearfully brought in great Store of 'Plate for that Purpoſe, yet in regard the Plate 'could not be coined with ſuch Expedition as the 'Importance of the Service did require; and well 'knowing that 100,000 *l.* might, for a ſhort Time, 'be borrowed out of the Adventurers Money for

'*Ire-*

An. 18. Car. I. 1642. Auguſt. ‘ *Ireland*, without any Prejudice to the Affairs of ‘ that Kingdom, whoſe Subſiſtance depends upon ‘ the Welfare of this; and, reſolving to make a real ‘ and ſpeedy Repayment of what Money ſhould be ‘ ſo borrowed, did make this *Order*; which, that ‘ it might appear to all the World to be neither ‘ miſchievous, illegal, nor unjuſt, (as his Majeſty, ‘ by the Inſtigation of thoſe malignant Whiſperers, ‘ is pleaſed to term it) the Houſe of Commons ‘ thought fit to recite it *in hæc Verba*; and, inſtead ‘ of retracting the *Order*, to repay the Money with ‘ all poſſible Speed.

July 30, 1642.

It is this Day ordered *by the Commons Houſe of Parliament, That the Treaſurers, appointed to receive the Monies come in upon the Subſcription for* Ireland, *do forthwith furniſh, by Way of Loan, unto the Committee of Lords and Commons, for the Defence of the Kingdom, the Sum of* 100,000 l. *for the Supply of the Public Neceſſity, for the Defence of the King, Parliament and Kingdom, upon the Public Faith; to be repaid, duly and carefully, within ſo ſhort a Time that it ſhall not be diverted from the Purpoſe for which it was intended, or any Way fruſtrate the Acts already made in the Behalf of that Adventure.*

‘ By which *Order*, and that which hath been here ‘ truly ſet down, it will eaſily appear to all indifferent ‘ People of his Majeſty's three Kingdoms, whether ‘ the King and his *Cavaliers*, or the King and his ‘ *Parliament*, do moſt affect and endeavour the Set- ‘ tling of true Religion, and a firm and conſtant ‘ Peace within that bleeding and diſtreſſed Kingdom.

The Houſe of Lords had been buſy, for ſeveral Days, with a Multiplicity of Things, moſt of them tending to warlike Preparations; having received Intelligence, That the King would ſet up his *Standard* on the twenty-ſecond of this Month, and would then march forward.

Auguſt

Auguſt 18. The Lord *Kimbolton* reported the Effect of a Conference, held Yeſterday with the Houſe of Commons, about Affairs in *Yorkſhire:* When a Letter was read, directed to Sir *Philip Stapylton*, Member of Parliament for *Boroughbridge*, as follows: An. 18. Car. I. 1642. Auguſt.

York, Auguſt 13. 1642.

SIR,

A Letter concerning the State of Affairs in Yorkſhire.

THE State of Affairs in this County is of ſo high Importance to the general Good of the whole Land, as we conceive them requiſite to be repreſented to the Houſes of Parliament; and to receive Directions, from thence, as may guide the well-affected Subjects in ſuch Ways as conduce to the Eſtabliſhment of Peace here and elſewhere: And, to that End, the Committee, when they returned to the Parliament, promiſed frequent Intercourſes; and that thoſe, who ſhould be employed from hence upon ſuch Occaſions, ſhould find a good Reception. The Gentlemen of the County, having met here at York, *this Day and Yeſterday, did reſolve it neceſſary to ſend the Bearer hereof with a View of the preſent Condition of this Country, which they deſire you to make known to the Houſe as you ſhall find it neceſſary.*

His Majeſty hath now withdrawn all his Forces from Hull *and* Beverley, *and ſent moſt Part of his Horſe towards* Newark *and* Nottingham; *intending to ſet up his Standard at* Nottingham *on the* 22*d of this Month: And, by* Proclamation, *commands all Men's Attendance on his Perſon; as the* Proclamation, *which the Bearer will deliver, doth more fully inform.* — *His Army, at this preſent, conſiſts eſpecially of Horſe, which are intended to be about* 4000, *in ſeveral Regiments; in which Number, we conceive, are not included the* 400 *Horſe, which certain of the Gentry of* Yorkſhire *promiſe to raiſe, nor the Train of the Court eſtimated at* 500 *Horſe: For Foot-Forces here are very few viſible, and thoſe of the Scum of the Country, being raiſed by beating Drums for Volunteers: Yet it is ſaid, that the Proportion is* 13,000 *Foot, though, in Diſcourſe, they declare as if* 5000 *Foot will be ſufficient for the Deſign; but what*

it

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it is, or againſt whom, we know not, otherwiſe than that it is expreſſed, in the Proclamation, *for raiſing the* Standard: *For if it were in Defence of the* Proteſtant *Religion, the Laws of the Land, and the Privileges of Parliament, ſo often repeated, we conceive the* Papiſts, *who hate them all, would not ſo much rejoice, and ſhew themſelves ſo forward to aſſiſt the Service; nor make ſo frequent Reſort, as now they do, into theſe Parts from* Ireland, Lancaſhire, *and all Parts of* Yorkſhire: *And, beſides, we obſerve the King hath ſent out* Warrants *to call to the Service all* Recuſants *Horſe and Arms; and many* Recuſants, *to make themſelves capable of Commands, do reſort to Church.*

It is given out, that the King goes Southward *on* Tueſday *next, tho' of that we can write no Certainty: But, whenſoever he goes away from hence, he leaves the Earl of* Cumberland *to govern theſe* Northern *Counties; with Authority to raiſe Forces for Defence of them, and a Council of War to aſſiſt; to terrify the Subjects, and conſtrain Obedience to his Government. It is to be accompanied with a Commiſſion of* Oyer *and* Terminer, *and this Government and Council are to reſide at* York.

You have already heard how the Gentry of this County were ſummoned to appear before his Majeſty, at York, *the fourth of this Month; where his Majeſty made certain Propoſitions to them which you have ſince ſeen in Print: Whereupon the Earl of* Cumberland, *Lord* Saville, *Lord* Fauconberg, *all or moſt of the Commiſſioners of* Array, *and divers other Gentlemen of the County, met in the Deanry at* York; *and there framed the* Petition *ſent up by Mr.* Jackſon *and Mr.* Maude *to the Parliament: Which, tho' it was carried then with much Secrecy, yet is now divulged; and diſliked by a great Number of the Gentry of this County, who will proteſt againſt it in Writing ſo ſoon as they can meet with a Convenience: Yet they which framed it reſolve to maintain it, and hold Meetings and Conſultations at the Deanry at* York; *where they treat of Matters of dangerous and high Conſequence, and contrary to the Laws of the Land and the Liberty of the Subject; that is to ſay,*

To

To join in Aſſociations with other neighbouring Counties, to maintain the Petition *aforeſaid, and to raiſe an Army of Horſe and Foot, for Defence of the County under the Command of the Earl of* Cumberland, *to be laid about* York, *and to be paid by the Country.* An. 18. Car. I. 1642. Auguſt.

To obtain of the King an able Soldier to command in this Army, under the Earl, to whom they intend the Country ſhall allow Entertainment; to conſtrain all Perſons to contribute to the Charge of this Army, and to diſtrain upon ſuch as refuſe it.

And, to diſable the Subjects to oppoſe or defend themſelves againſt this Oppreſſion, they intend to diſarm and impriſon all ſuch Gentlemen as ſhall not conſent with them; and they have eſpecially deſigned to impriſon a great Number of Gentlemen, who they ſuppoſe will give Oppoſition to their Trained Bands, in every Regiment; and intend to diſarm more of them where they find Danger of Oppoſition: Sir John Mallory, *for his Regiment, hath already cauſed both Money to be furniſhed to his Soldiers by the Conſtables, and Arms to be taken from the People.*

Theſe Propoſitions and Conſultations, which are generally ſpoken of, do not a little perplex the well-affected Subjects; and their Fears increaſe by divers particular Affronts, and Attempts made upon the Gentry of this County, by the Troops and others of the King's Army; as the pillaging of divers Gentlemen's Houſes about Hull, *and plundering Sir* Henry Cholmley's *Houſe, near* Selby, *on* Sunday *laſt; and Mr.* George Marwood's *Houſe, near* Knareſbrough, *twelve Miles from* York, *on* Wedneſday *laſt: In this of Mr* Marwood's *we will relate ſome Particulars, for your better Information:——It was done in the Day Time, and by twenty-four Horſe or thereabouts; Part ſtayed beyond the* Nid *running cloſe by the Houſe, Part entered the Houſe, and others kept Watch that none ſhould come to hinder their Attempts: They threatned Mrs.* Marwood *and her Servants with Death, to diſcover where her Huſband was; and ſwore they would cut him in Pieces before her Face, and called her* Proteſtant Whore, *and* Puritan Whore; *they ſearched*

An. 18. Car. I. 1642. August. *ſearched all the Houſe, broke open ſeventeen Locks, and took away all the Money, being about* 120l. *and all his Plate they could find; and pretended they had the King's* Warrant *for their ſo doing, which the King diſavows; and his Majeſty is very much offended to have his Name ſo abuſed, and threatens to have them all hanged if they be diſcovered: And though it be Mr.* Marwood's *Lot to ſuffer firſt, yet the looſe People threaten to pillage and deſtroy all the* Round-Heads, *and name ſome particular Perſons; under which fooliſh Name,* Round-Heads, *they comprehend all ſuch as do not go their Ways. (u)*

Theſe Beginnings and Preparations of Miſery are neceſſary to be made known to all the Kingdom, that the good Subjects may ſtand upon their Guard; for though we may aſſure ourſelves that the King will endeavour to preſerve us, yet we find it is impoſſible to reſtrain the Malice and Rage of bloody Papiſts *and faithleſs* Atheiſts; *and, in Time, theſe Miſchiefs will approach other Parts, though, for the preſent, we, only, lie in the Mouth of Danger.*

Now towards the Redreſs of theſe growing Evils, ſecuring the Peace of this County, and Preſervation of thoſe peaceable Subjects intended to be diſarmed and left naked to the Fury of every malicious Adverſary, we offer to your Conſiderations the Propoſitions *following,* viz.

That an Order *be conceived in Parliament, and declared, that all the Kingdom may take Notice of it, to this Effect:*

That all well-affected and good Subjects, that ſhall be plundered, pillaged, or ſuffer in their Eſtates by any of the Cavaliers, *or other Forces raiſed without Conſent of Parliament, ſhall have full Reparation of their Damages out of the Eſtates of ſuch Perſons of Wealth and Quality, whoſe Fortunes, being in the* South, *do now reſide in* Yorkſhire; *and who with their Preſence*

(u) In the foregoing Month is the firſt Inſtance we meet with of the *Royaliſts* being diſtinguiſhed by the Name of *Cavaliers*; and this is the firſt of the *Parliament's Party* being called *Round-Heads*. But theſe Words ſoon after grew as frequent in the Times we are now upon, as thoſe of *Whig* and *Tory* in our own.

ſence and Aſſiſtance, do countenance and further theſe Diſtempers of the Kingdom, and the Miſchiefs that do happen, and are like to increaſe. An. 18. Car. I. 1642. Auguſt.

That there may be ſpeedily ſent to Hull, *a ſufficient Proportion of Powder, Arms, Ordnance, and other Ammunition, with an Order to furniſh the Country with them as there ſhall be Occaſion; eſpecially ſuch as ſhall be diſarmed upon the Conſultations held in the Deanery at* York.

That Commiſſions be ſpeedily ſent down from the Earl of Eſſex, *Lord Lieutenant of this County, to the Gentlemen named in this incloſed Paper, or ſuch of them as the Houſe ſhall elect for the preſent, to raiſe and command the Forces of this County, for ſuppreſſing of any Inſurrection and unlawful Tumults that may happen to ariſe.*

That the Sheriff be commanded, by ſpecial Order of Parliament, to conduct and aſſiſt as the Houſe conceives fitting.

This Liſt of Gentlemen for commanding the Country Forces is not intended to diſappoint any of Truſt or Command, who are already nominated and intruſted by the Parliament; nor are they intended to be continued longer than untill ſome other Proviſions, by an Act, be concluded on by the King and Parliament for ſettling and ordering the Militia.

And, laſtly, *it is the Deſire of the well-affected in this County to receive weekly Advertiſements from thence, by ſome ſpecially employed for that Purpoſe, untill Affairs be ſo ſettled as we may ſafely confide in the ordinary Poſt; for now we neither rightly underſtand the Proceedings of the Houſe, nor can we repreſent to them ſuch Matters as concern the Peace of this County.*

All which we hope you will be pleaſed to repreſent to the Houſe, as the unanimous Conſiderations of a great Number of the Gentry of this County. And we remain

Auguſt 13, 1642. Your affectionate, &c.

P. S. *The Grand Jury, this Aſſizes, conſiſt for the moſt Part of ſuch as give us Cauſe to ſuſpect that there*

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is ſome extraordinary Buſineſs to be preſented; but of this the Sheriff excuſeth himſelf, and ſaith the Pannel, returned by him, was viewed and corrected by the Judge a Fortnight before the Aſſize.

The Lord *Kimbolton* further reported, 'That the Houſe of Commons offered to their Lordſhips Conſideration, a *Proclamation* from the King, requiring the Aid and Aſſiſtance of his Majeſty's Subjects on the *North* Side *Trent*, and within 20 Miles *Southward* thereof, for the ſuppreſſing of the Rebels now marching againſt him: And that thereupon the Commons deſired,

1. 'That a Committee of both Houſes may be appointed to draw up a *Declaration*, and therein to ſet down the unjuſt Grounds of this *Proclamation*.

2. 'To conſider the deſperate Propoſitions of thoſe that do meet at the Dean of *York*'s Houſe.

3. 'To conſider of the Propoſitions of the Gentlemen of *Yorkſhire*.

4. That the foregoing Letter may be printed and publiſhed.'

His Lordſhip added, 'That the Commons alſo deſired their Concurrence in an *Ordinance*, declaring all Men Traitors that aſſiſt his Majeſty in this War; which was read as follows:

The Parliament declare all ſuch as aſſiſt the King, Traitors.

'Whereas the King, ſeduced by evil Counſel, 'doth make War againſt his Parliament and People, '[*intending to make himſelf an* abſolute Conqueror '*of theſe Kingdoms, if not timely prevented*]; and, 'for the promoting of this War, divers Forces of 'Horſe and Foot have been levied, and are raiſed, 'by ſeveral Perſons; and his Majeſty's good Sub-'jects are moſt cruelly robbed, ſpoiled, and ſlain: 'To the End that no Man may be miſled through 'Ignorance, the Lords and Commons in Parlia-'ment *declare*, That all ſuch Perſons as ſhall, upon 'any Pretence whatſoever, aſſiſt his Majeſty in this 'War with Horſe, Arms, Plate, or Money, are 'Traitors to his Majeſty, the Parliament, and the 'King-

'Kingdom; and ſhall be brought to condign Pu- An. 18. Car. I. 1642.
'niſhment for ſo high an Offence.' (*x*)

To all theſe Propoſals of the Commons the Lords gave their Conſent, *Nem. Con.* Auguſt.

The ſame Day (*Auguſt* 18.) the Lords were informed, That, according to their *Order*, Sir *Nicholas Raynton*, ſenior Alderman of *London*, had called a Common Hall, and that the Citizens had elected Alderman *Pennington* their new Lord Mayor; and it was neceſſary and conſiſtent with the antient Cuſtoms of the City, that he be ſworn and preſented at *Weſtminſter*, &c. That the City having ſent to Sir *Richard Gurney* for the Sword, Cap, Mace, and Collar of SS's, he pretended that they were lock'd up at his Houſe, and he could not come at them: But being ask'd again, Whether he would deliver them if he had them? he denied to deliver the Sword to any but the King from whom he received it.

Sir Richard Gurney, removed from his Office of Lord Mayor, refuſes to deliver up the Regalia.

Upon this it was, firſt *ordered*, 'That the Thanks of the Houſe ſhould be given to Sir *Nicholas Raynton* and the reſt of the Aldermen, for their chearful, ready, and orderly Obedience to the Commands of this Houſe: That they approved of Alderman *Pennington* for Lord Mayor, as his good Affections were well known to be for King, Kingdom, and Privileges of Parliament: That he ſhould have the uſual Oaths given him by the Court of Aldermen; and two Barons of the *Exchequer* ſhould attend the next Day, for the Lord Mayor to be preſented and ſworn.'

Laſtly, It was *ordered*, 'That the Gentleman-Uſher, attending that Houſe, ſhould go to the Houſe of Sir *Richard Gurney* and demand the Sword, &c. and, if he be denied, to break open any Doors or Locks whatſoever, and poſſeſs himſelf of them, and deliver them to Alderman *Pennington*, now Lord Mayor Elect of the City of *London*.'

(*x*) This *Reſolution* of Parliament is printed in *Husbands* and *Ruſhworth*; but the Paſſage in Crotchets is omitted by both thoſe *Collectors* and alſo in the *Lords Journals*: We have ſupplied it from thoſe of the *Commons*.

An. 18. Car. I. 1642. Auguſt. The next Day the Gentleman Uſher gave the Lords this Account, 'That, according to their *Order*, he had taken out of Sir *Richard Gurney*'s Study four Swords, belonging to the City, one Cap of Maintenance, one embroidered Crimſon Cap, one Collar of SS's, with a great Jewel and a pendant Pearl, and one great Mace, belonging to the City; all which Particulars he had delivered to the Lord Mayor Elect, and had his Receipt for them.'

Auguſt 19. An Allowance to the Earl of *Eſſex*, Lord General, of 10 *l.* a Day, for ordinary Expences; and the Earl of *Bedford* 6 *l.* as General of the Horſe, was this Day agreed to by both Houſes.

Mr. *Oliver Cromwel* was a Perſon of ſuch Note, in the Hiſtory of theſe Times, that it may well be wondered at we have ſcarce yet ever mentioned him: But, tho' his Name hath often occurred to us, in our Progreſs thro' the *Journals* of both Houſes, yet it was only as a Member of the Houſe of Commons, and ſent with *Meſſages* to the Lords, chiefly about *Iriſh* Affairs, but all below our Notice; till, this Day, we find a Copy of *Inſtructions* entered in the *Lords Journals*, directed to *Oliver Cromwell*, Eſq; *Thomas Sherwood*, Mayor of *Cambridge*, for which Town the former was Repreſentative in Parliament, and three Aldermen, appointed to take Care of the Peace and Safety of the ſaid Town; authorizing them to train and exerciſe all the Train'd Bands and Volunteers in that Town; and to lead and conduct them againſt all Forces that attempt to ſeize upon the Place, or to diſturb the Peace of it: And further, they were hereby authorized to fight with all ſuch Perſons, and kill and ſlay them; and, by all Means, to preſerve their Town from all hoſtile Attempts whatſoever, *&c.*

Mr Oliver Cromwell prevents the Univerſity of Cambridge from ſending their Plate to the King.

Purſuant to theſe *Inſtructions*, the Commons had, ſoon after, Intelligence, That Mr. *Cromwell* had ſeized on the Magazine in the Caſtle of *Cambridge*; and had hindered the carrying off Plate, from that Univerſity, to the Value, as ſome reported, of 20,000 *l.* And,

The

The next Day, an *Ordinance* was made for the Indemnity of *Oliver Cromwell*, Eſq; and the Perſons concerned with him therein; and alſo further authorizing him and them to make Stay of all ſuch Plate, belonging to any of the Colleges in the Univerſity of *Cambridge*, as ſhall be, hereafter, endeavoured to be carried to the King to maintain a War againſt the Parliament. An. 18. Car. I. 1642. Auguſt.

Three Commiſſioners of his Majeſty's Ordnance in the *Tower*, having refuſed to obey the Lord General's *Warrant* for delivering up ſome Stores, *&c.* out of the Magazine there, they were taken into Cuſtody; and ordered either to deliver up the Keys of the Office of Ordnance and Stores, or elſe the Doors to be broke open, and the Charge and Keeping the ſaid Arms, *&c.* to be committed to other Hands, for the Uſe of the King, Parliament, and Kingdom.

A *Declaration* of Parliament was this Day (*Auguſt* 20.) agreed to, on the Baſis of the laſt Letter from *Yorkſhire*, and was as follows: (*y*)

A Declaration of Parliament, occaſioned by the late Letter from Yorkſhire.

'WE the Lords and Commons in Parliament aſſembled, have peruſed and ſeriouſly conſidered a *Letter* ſent from many of the principal Knights, Gentlemen, and other Inhabitants of the County of *York*; directed to a worthy Knight of that County, being a Member of the Houſe of Commons; and intended for the Information of both Houſes of Parliament, concerning his Majeſty's Purpoſe of *raiſing his Standard at Nottingham*, the preſent State of the *Northern* Parts, and the growing Miſchiefs and Miſeries like to overwhelm the whole Kingdom, by the great Oppreſſions exerciſed upon his Majeſty's Subjects there; and other unlawful and dangerous Counſels and Proceedings of thoſe, who, under Pretence of his Majeſty's Service, are laying the Founda-

(*y*) This *Declaration* is in *Ruſhworth* and *Husband*; but the foregoing *Letter*, which gave Occaſion to it, being omitted in thoſe *Collections*, is ſupplied from the *Lords Journals*.

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'tion of an Arbitrary and Tyrannical Govern-
'ment, or rather Confuſion and Deſolation, not
'only in thoſe Parts, but in the whole Kingdom:
'Upon which, and other Informations and Diſco-
'veries, we think fit to publiſh and declare ſome
'few Obſervations, whereby the good Subjects of
'this Kingdom may better diſcern their own Dan-
'ger; and be ſtirred up with more Earneſtneſs to aſ-
'ſiſt us in the Maintenance of Religion, and of the
'common Juſtice and Liberty of the Kingdom,
'which ſeems to be in no leſs Hazard than if we
'had an Army of the *Iriſh* Rebels in the Bowels
'of the Land.

'The *firſt* Obſervation is this; That now it
'plainly appears to the World, that there was good
'Ground of thoſe Fears and Jealouſies, ſo often ex-
'preſſed by both Houſes, That his Majeſty intended
'to make War againſt his Parliament; and that
'the *Oaths*, *Proteſtations*, and *Execrations*, pub-
'liſhed in his Majeſty's Name, diſclaiming any
'ſuch Purpoſe of War, were nothing but the De-
'vices of thoſe wicked Counſellors about him; that,
'under ſuch Diſguiſes and Pretenſions of Peace,
'they might more cloſely arm and prepare them-
'ſelves for War, and by Violence ſuppreſs the
'Parliament; and ſo to make Way for the Accom-
'pliſhment of their own Deſigns, for the Alteration
'of Religion and the Government of the King-
'dom.

'The *ſecond*; That this War is ſaid to be for
'the Defence of the *Proteſtant* Religion; and yet
'the moſt diligent Aſſiſtants and Promoters of it
'are *Papiſts*, and that corrupt and *ſuperſtitious* Part
'of the *Clergy* that were running towards *Popery*;
'wherein the *Papiſts* are ſo frequent, that they not
'only ſend in Horſe and Arms, but, the better to
'qualify their Perſons for this preſent Service, ma-
'ny heretofore conſtant *Recuſants*, do now reſort
'to Church, and take the Oaths of Supremacy and
'Allegiance. And with what Affections they look
'upon the Reformed Religion, is evident in the
'Speeches of thoſe who robbed Mr. *Marwood*'s
'Houſe,

'Houſe, calling his Wife *Proteſtant Whore* and *Pu-* An. 18. Car. I.
'*ritan*, ſhe being a very virtuous Gentlewoman, 1642.
'and of good Quality; only the Hatred of Religion Auguſt.
'was it which provoked them to ſuch ignominious
'Language, which by thoſe *Popiſh Cavaliers* is
'proſecuted under the Name of *Roundhead*, as it
'hath been by the *Prelatical Clergy* under the Name
'of *Puritan*.

'A *third*; That Arms were taken from the
'honeſt Gentlemen, Yeomen, and Townſmen;
'and put into the Hands of ſuch deſperate Perſons,
'as cannot live but by Rapine and Spoil.

'A *fourth*; That notwithſtanding all the *Vows*
'and *Proteſtations* to govern by Law, which have
'been diſperſed throughout the Kingdom, to blind
'and deceive the People, the moſt miſchievous
'Principles of Tyranny are practiſed that ever were
'invented; that is, to diſarm the middle Sort of
'People, who are the Body of the Kingdom, and
'to maintain Soldiers by forced Contributions; to
'erect a Provincial Government in the *North*,
'clearly againſt the Common Law, and the Judg-
'ment given in this Parliament for taking away the
'Court at *York*: That the Contrivers and Inſtru-
'ments of theſe Miſchiefs, for their better ſtrength-
'ening in theſe Deſigns, are about to join them-
'ſelves in an Aſſociation with other Counties: And
'that Directions are given, that ſuch as ſhall op-
'poſe, or not join with them, ſhall be violently
'plundered and pillaged.

'For the Prevention of theſe growing Evils and
'Miſchiefs, the Lords and Commons do *declare*,

'That all well-affected and good Subjects, who
'ſhall be plundered, pillaged, and ſuffer in their
'Eſtates, by any of the *Cavaliers*, or other Forces
'raiſed without Conſent of Parliament, ſhall have
'ſuch Reparation of their Damages, out of the
'Eſtates of thoſe who have been Actors and Coun-
'ſellors in ſuch Violences; and likewiſe out of the
'Eſtates of all ſuch Perſons in any Part of the King-
'dom whatſoever, who have withdrawn themſelves

'to

An. 18. Car. 1. 1642. August.

'to *York*, and ſhall perſiſt to ſerve the King in this 'War againſt the Parliament, by any Subſcription, 'or Contribution, or otherwiſe have given Aſſiſt-'ance and Countenance to the Maintenance of it.

'That it ſhall be lawful for any Number of Per-'ſons to join together, and to defend themſelves 'and others from Rapine and Force: And the Earl 'of *Eſſex* (Lord-General of the Forces raiſed by the 'Lords and Commons, for the Defence of our 'Religion and Liberty, and for Protection of the 'oppreſſed Subjects of this Kingdom, and Lieu-'tenant of the County of *York*) is deſired to grant 'ſuch Commiſſions for levying, leading, and con-'ducting of Forces in the *Northern* Parts, as ſhall 'be thought requiſite by his Excellency: And Sir '*John Hotham*, Governor of *Hull*, is required to 'give all kind of Aſſiſtance, by the Garriſon of the 'Town, and by furniſhing them with Powder, 'Arms, and other Ammunition as he can ſpare. 'And for the better enabling of them in this their 'neceſſary Defence, it is *reſolved*, That further 'Supplies of Arms ſhall be ſent thither as ſpeedily 'as may be: That the Sheriff of the County of '*York*, and the Sheriffs of the adjoining Counties, 'and all Lieutenants, Deputy-Lieutenants, Mayors, 'Juſtices of the Peace, and other his Majeſty's 'Officers and loving Subjects, be aiding and aſſiſt-'ing them, in Defence of his Majeſty's Subjects 'from all Oppreſſion and Violence, with the Power 'of the Counties and Trained Bands.

'That it ſhall be lawful for all Lord-Lieutenants, 'Deputy-Lieutenants, Sheriffs, Mayors, Bailiffs, 'and Head Officers of Corporations, to diſarm all '*Popiſh Recuſants*; and all other his Majeſty's Sub-'jects are to be aſſiſting unto them: And that it ſhall 'be lawful for any of his Majeſty's Subjects to ſeize 'upon the Perſons of all ſuch as ſhall execute the il-'legal *Commiſſion of Array*, or ſhall be Actors and Af-'ſiſtants in any of the aforementioned Oppreſſions 'and Violences; or ſhall furniſh any Horſe, Arms, 'Money, or other Aid or Contribution, for the

'Main-

'Maintenance of this unnatural War, raiſed by his 'Majeſty againſt his Parliament; and to ſeize upon 'their Horſes, Arms, Money, and other Proviſions, 'whereby they might be enabled to diſturb the 'Peace of the Kingdom.' An. 18. Car. I. 1642. Auguſt.

Auguſt 22. The Lords received Intelligence, That the King lay then before *Coventry*, and was playing upon the Town with his Ordnance; on account of their denying his Majeſty Entrance, and ſhutting their Gates againſt him. Coventry ſummoned by the King.

A long *Remonſtrance* was read, and agreed to be ſent to the States of *Holland*, by *Walter Strickland*, Eſq; againſt allowing Military Stores to be bought up, and ſhipped off from thence, for the Service of the King againſt the Parliament. One Reaſon alledged therein, was, 'That it was ex- 'pected the *Dutch*, who had formerly received the 'Aſſiſtance of the *Engliſh*, to recover their Liberty, 'ſhould not now aſſiſt thoſe, whoſe Deſign was to 'deprive the *Engliſh* Nation of their Rights and 'Liberties.' The Dutch are deſired to refuſe ſelling him any Ammunition.

Auguſt 23. A Letter from the Earl of *Bath* to the Speaker of the Houſe of Lords, was read:

My Lord,

I Received laſt Night a Summons *from your Honourable Houſe, requiring my Attendance there on* Monday *next*, Auguſt 22, *according to his Majeſty's Writ. It is true I was ſummoned, at the Beginning of this Parliament, as of Right I ought; and did not fail to give my Attendance upon that Service, with as much Diligence and Affection to the Public as my poor Ability could expreſs; but I received many Interruptions, by Scorns, Menaces, and Affronts from the People inhabiting about* London *and* Weſtminſter, *contrary to the Conſtitution and Privileges of that and all other Councils; where the Members ought to come, ſit, and return, with Honour and Safety: And I do not ſee the Minds of thoſe People ſo ſettled and compoſed, that I may hope for better Uſage: Wherefore I ſhall humbly* The Earl of Bath's Reaſons for not attending the Parliament.

An. 18. Car. I. 1642. August. *bly deſire their Lordſhips to excuſe my Abſence, untill I may have ſome Confidence of enjoying that Honour and Safety, which, heretofore I have not had. And ſo, with my Service to your Lordſhip, I remain*

Your Lordſhip's

Taviſtock, Aug. 15. 1642.

Humble Servant,

BATH.

Ordered, That the Earl of *Bath* ſhould be ſent for as a Delinquent. And, upon further Information that he had great Store of Powder in his Houſe in *Devonſhire*, it was *ordered*, That Search ſhould be made for ſuch Powder, or Stores, and the ſame kept ſafe till the Pleaſure of the Houſe ſhould be further known.

The ſame Day the Lords received Advice, That the City of *Coventry* having been encouraged to hold out againſt the King, by the Arrival of 300 Men from *Birmingham*, and by receiving Advice that Mr. *Hampden*, Mr. *Denzil Holles*, and Mr *Goodwin* (who had taken out Colonels Commiſſions under the Earl of *Eſſex*) were marching to their Relief, his Majeſty's Forces drew off, and departed towards *Nottingham*, in order to ſet up his *Standard* there:——Though this Affair cannot properly be term'd a *Parliamentary Proceeding* in itſelf, yet as it took its Riſe from thence, we apprehend it no unacceptable Digreſſion to give ſome Account of the Manner of the King's erecting his *Standard*.—— Mr. *Ruſhworth*, tells us, That

The King ſets up his Standard at Nottingham.

'The King came from *Coventry* on *Monday* the twenty-ſecond of *Auguſt*, in the Morning, with ſome Lords and others in Company, to *Leiceſter*, where he dined that Day at the *Abbey*; and that preſently after Dinner his Majeſty again took Horſe, and, with his Company, rode to *Nottingham*; where were great Preparations for the Setting up of the *Standard* that Day, as was formerly appointed.

'Not long after the King's coming to Town, the

the *Standard* was taken out of the Caſtle, and carried into the Field, a little on the Backſide of the Caſtle Wall. The Likeneſs of the *Standard* was much of the Faſhion of the City Streamers uſed at the Lord Mayor's Show, having about twenty Supporters, and was carried after the ſame Way; on the Top of it hung a Flag, the King's Arms quarter'd, with a Hand pointing to the Crown, which ſtood above with this Motto, *Give Cæſar his Due.* The Names of thoſe Knights Bannerets who were appointed to bear the *Standard*, *viz.* the chief of them, were Sir *Thomas Brooke*, Sir *Arthur Hopton*, Sir *Francis Wortley*, and Sir *Robert Doddington.* Likewiſe there were three Troops of Horſe to wait upon the *Standard*, and to bear the ſame backward and forward, with about 600 Foot Soldiers. It was conducted to the Field in great State, the King, the Prince, and Prince *Rupert* (whom his Majeſty had lately made Knight of the Garter) going along with it, with divers other Lords and Gentlemen of his Majeſty's Train, beſides a great Company of Horſe and Foot, in all to the Number of about 2000. An. 18. Car. I. 1642. Auguſt.

'So ſoon as the *Standard* was ſet up, and his Majeſty and the other Lords placed about it, a Herald at Arms made ready to publiſh a *Proclamation*, declaring the Ground and Cauſe of his Majeſty's ſetting up his *Standard*, namely, to ſuppreſs the Rebellion of the Earl of *Eſſex*, in raiſing Forces againſt him, to which he required the Aid and Aſſiſtance of all his loving Subjects; but before the Trumpeters could ſound to make Proclamation, his Majeſty called to view the ſaid *Proclamation*, which being given him, he privately read the ſame over to himſelf; and, ſeeming to diſlike ſome Paſſages therein, called for Pen and Ink; and, with his own Hand, croſſed out, and altered the ſame in ſome Places, and then gave it the Herald; who proclaimed the ſame to the People, though with ſome Difficulty after his Majeſty's Corrections: After the Reading thereof, the whole Multitude threw up their Hats, and cried, *God ſave the King*, with other ſuch-like Expreſſions.

'Not

An. 18. Car. I. 1642. August.

'Not long after the Reading of the ſaid *Proclamation*, it being towards Night, the *Standard* was taken down, and again carried into the Caſtle, with the like State as it was brought into the Field; and the next Day it was ſet up again, and his Majeſty came along with it, and made Proclamation as the Day before; and the like was alſo done on *Wedneſday*, his Majeſty being alſo preſent; but after that it was ſet up with leſs Ceremony.'

Lord *Clarendon*'s Account of this Matter runs thus: 'According to the *Proclamation*, upon the 25th Day of *Auguſt*, the *Standard* was erected, about ſix o'Clock in the Evening of a very ſtormy and tempeſtuous Day. (z) The King himſelf, with a ſmall Train, rode to the Top of the Caſtle-Hill; *Verney*, the Knight-Marſhal, who was Standard-Bearer, carrying the *Standard*, which was then erected in that Place, with little other Ceremony than the Sound of Drums and Trumpets. Melancholy Men obſerved many ill Preſages about that Time. There was not one Regiment of Foot yet brought thither; ſo that the Train'd Bands, which the Sheriff had drawn together, were all the Strength the King had for his Perſon and the Guard of the *Standard*. There appeared no Conflux of Men in Obedience to the *Proclamation*; the Arms and Ammunition were not yet come from *York*, and a general Sadneſs cover'd the whole Town. The *Standard* was blown down the ſame Night it had been ſet up, by a very ſtrong and unruly Wind, and could not be fixed again in a Day or two, till the Tempeſt was allayed. This was the melancholy State of the King's Affairs when the *Standard* was ſet up.'

Leaving

(z) *Whitlocke* and *Ruſhworth* both fix the twenty-ſecond of *Auguſt* as the Day of erecting the *Standard*. Lord *Clarendon*, in the Concluſion of his Fifth Book, and in the Beginning of the Sixth, makes it the twenty-fifth. The latter is evidently a Miſtake, ſince his Lordſhip ſays, That the King's *Meſſage* for an Accommodation was agreed on three Days after the erecting his *Standard*; and in his own *Hiſtory*, as well as in the *Journals*, the ſaid *Meſſage* bears Date the twenty-fifth.

Leaving the Reader to reconcile theſe two Accounts, we return to our more certain Guides the *Journals* of Parliament. An. 18. Car. I. 1642. Auguſt.

Auguſt 25. A *Letter* to the Earl of *Eſſex*, from ſome Officers in his Army concerning the relieving of *Coventry*, was read in the Houſe of Lords as follows:

May it pleaſe your Excellency,

Letter from Sir H. Cholmley, &c. concerning their relieving of Coventry.

FRom Buckingham *we gave you an Account of our Intentions to relieve* Coventry, *which put us both upon long and haſty Marches, in which we were ſomewhat relieved by the Kindneſs of the Country as we paſſed along; eſpecially in* Northamptonſhire, *where our Soldiers had very good Entertainment, and the Aſſiſtance of* 120 *Dragoons.*

The laſt Night we came to Southam, *within ten Miles of* Coventry; *where we were no ſooner ſettled than we had an Alarm, which kept us all under Guard the whole Night.*

This Morning, by that Time as one Regiment was drawn out of the Town, the adverſe Horſe was diſcovered; we made what Haſte we could to draw out the reſt of the Regiments into Order; but before we could well effect it, they had planted two Peices of Canon and advanced with Horſe and Foot; the Number, as we conceive, were about 1200 *Horſe, and about* 300 *Muſqueteers and Firelocks; as Capt.* Legge *informs us, who, upon the planting of our Canon, came to the Place where Serjeant-Major-General* Ballard *ſtood, who preſently took him Priſoner; concerning whom we deſire to know your Excellency's Pleaſure what we ſhall do with him.*

After the Canon had played a while on both Sides, they retreated in ſome Haſte; and we, according to our former Reſolutions, marched to this Place. There were ſlain of the adverſe Party four Horſes, and ſome Men both of the Horſe and Foot; but, Thanks be to God, we did not receive any Prejudice at all from them.

We

An. 18. Car. I. 1642. Auguſt. *We are here at* Coventry, *ready to attend the next Occaſion of Service, or any Command that you ſhall be pleaſed to impoſe upon*

Your Excellency's

moſt humble Servants,

Coventry, Auguſt 23, 1642.

HENRY CHOLMLEY.
THO. BALLARD.
JOHN HAMPDEN.
NATH. FIENNES.

The Speaker was ordered to ſend them the Thanks of both Houſes of Parliament by Letter.

For ſome Months paſt the *Journals* have taken Notice of frequent Complaints againſt the unbounded Licenſe of the Preſs; and many Printers were committed to the *Gatehouſe*, and other Priſons, on that Account: For ſo eager was the Curioſity of the Public to know what the Houſe of Commons were doing, that ſome of their *Declarations* were privately printed the very Day they paſſed that Houſe, and before they were ſent up to the Lords for their Concurrence, of which we find many Inſtances. To remedy this, an *Order* concerning the Abuſes in Printing was this Day (*Auguſt* 26.) made by both Houſes, as follows:

Order againſt the irregular Printing any Proceedings of Parliament.

'WHereas there hath been of late great Diſorders and Abuſes by irregular Printing, 'to the great Scandal of Religion and Government; 'and a Bill is in Preparation for the Redreſs of thoſe 'Miſchiefs, which, by reaſon of the preſent Di'ſtractions, cannot be ſo ſpeedily perfected and paſ'ſed as is deſired: It is *ordered* by the Lords and 'Commons in Parliament, That no Perſon or Per'ſons ſhall print, publiſh, or utter any Book or 'Pamphlet, with the Name of the Clerk of either 'Houſe of Parliament ſet thereunto, or with any 'Expreſſion or Pretence of Order from both or 'either

'either of the ſaid Houſes, without ſpecial Order from the ſaid Houſes or either of them, or the Committees of them or either of them concerning Printing, and the ſame to be entered in the Regiſter Book of the ſaid Company, according to antient Cuſtom; and the Maſters and Wardens of the Company of Stationers of *London*, the Uſher of the Black Rod, the Serjeant of the Commons Houſe of Parliament, and their Deputies, are hereby authorized and required, from Time to Time, to make diligent Search for all ſuch Books and Pamphlets to be hereafter printed; and the ſame to ſeize and take, together with the Preſſes and other printing Materials wherewith the ſame ſhall be printed, and carry them to the Common Hall of the ſaid Company, there to remain till either Houſe of Parliament ſhall otherwiſe diſpoſe thereof; and all his Majeſty's Officers ſhall, upon Requeſt, aid and aſſiſt to apprehend Offenders in the Premiſes, and to bring them before the Lords or Commons Houſe of Parliament, or the Committee appointed for printing; upon whoſe Report of the Fact, ſuch Courſe ſhall be taken with the ſaid Offenders as ſhall be juſt; and for that Purpoſe the Committee are to ſit at ſuch Times and Places as they ſhall think fit.' An. 18. Car. I. 1642. Auguſt.

Another *Ordinance* of Parliament was alſo made, for raiſing Money for carrying on the War, which has this remarkable Preamble:

'It is this Day *ordered* by the Lords and Commons in Parliament aſſembled, for the more ſpeedy and effectual Proviſion of ſufficient Treaſure to be employed in quenching this unnatural War, now kindled in the Heart of this Kingdom, by *Papiſts*, Perſons *popiſhly* affected, Traitors and Delinquents againſt his Majeſty, That the ſeveral Perſons hereafter named, &c.' The reſt of the *Order* was, That thoſe Perſons ſhould ſummon all the Reſiants of every Ward in *London*, whether Freemen or others, to ſubſcribe their Names in a Book, and what Mo- Another for raiſing Money.

An. 18. Car. I. 1642. Money, Plate, Horſe, or Arms they would contribute to this Cauſe, *&c.*

Auguſt.

Auguſt 27. The Earl of *Southampton*, being ſent from the King at *Nottingham*, came into the Houſe of Lords, and took his Place; but, being preſently commanded to withdraw, went out of the Houſe again. The Lords were informed, that the ſaid Earl had a *Meſſage* to deliver to the Lords in Parliament, from the King; yet, in regard of the Manner of his coming into the Houſe, without giving any Notice of it before, either in one Kind or other, the Lords did not think fit that the ſaid Earl of *Southampton* ſhould be permitted to deliver the *Meſſage*; but that he ſhould ſend it in by the Gentleman-Uſher of this Houſe. Whereupon the Uſher was ſent out to the Earl with this *Meſſage* in Writing:

The Earl of Southampton comes from the King, with a Meſſage for Peace:

The Lords order it to be brought in by their Gentleman-Uſher;

'That the Lords are not ſatisfied with the Manner of your Lordſhip's coming into the Houſe at this Time; they will not therefore receive any *Meſſage* from your Lordſhip; but, as it comes from his Majeſty, they are ready to receive it, with all Humility; and wiſh your Lordſhip to ſend it in unto them by the Hands of their Gentleman-Uſher.'

The Earl's *Anſwer*: 'That he deſires to let their Lordſhips know, That he was commanded by the King to deliver this *Meſſage* to the Houſe; and he doth not know how his Majeſty will be pleaſed if he ſhould deliver it to Mr. *Maxwell*.'

The Lords *Reply*: 'That they conceived the Delivery of the King's *Meſſage* to their Gentleman-Uſher, by their Command, is a Delivery of it to the Houſe.'

To which the Earl gave this *Anſwer*: 'That he deſired not to be preſſed to it, for he durſt not do it untill he had acquainted the King therewith.'

On this laſt *Anſwer* the Lords appointed a Committee of four, to draw up a *Reſolution* of the Houſe, touching this Buſineſs, which was to be

ſent

ſent to the Earl by the ſaid Uſher; which was to this Effect: An. 18. Car. I. 1642. Auguſt.

'That the Lords were ready to receive, with 'Humility, the *Meſſage* from the King, though not 'from his Lordſhip's Hands, becauſe they were 'unſatisfied with his Carriage; therefore they ſent 'their Gentleman-Uſher to bring it to them; 'which he twice refuſing, they ſhall account him 'anſwerable for any ill Conſequence that may enſue 'thereby; and their Lordſhips have not proceeded 'further againſt him at this Time, in reſpect he 'was employed by the King to this Houſe, but do 'command him forthwith to depart this Town.' And command the Earl to leave the Town.

Upon this the Earl ſent in the King's *Meſſage* by Mr. *Maxwell*, which was read in theſe Words:

'WE have, with unſpeakable Grief of Heart, 'long beheld the Diſtractions of this our 'Kingdom: Our very Soul is full of Anguiſh untill 'we may find ſome Remedy to prevent the Miſeries 'which are ready to overwhelm this whole Nation 'by a Civil War: And though all our Endeavours, 'tending to the compoſing of thoſe unhappy Dif- 'ferences betwixt us and our two Houſes of Parlia- 'ment, (though purſued by us with all Zeal and 'Sincerity) have been hitherto without that Suc- 'ceſs we hoped for; yet ſuch is our conſtant and 'earneſt Care to preſerve the Public Peace, that 'we ſhall not be diſcouraged from uſing any Ex- 'pedient, which, by the Bleſſing of the God of 'Mercy, may lay a firm Foundation of Peace and 'Happineſs to all our good Subjects. The Meſſage.

'To this End, obſerving that many Miſtakes 'have ariſen by the *Meſſages*, *Petitions*, and *An- 'ſwers* betwixt us and our two Houſes of Parlia- 'ment, which happily may be prevented by ſome 'other Way of *Treaty*, wherein the Matters in 'Difference may be more clearly underſtood, and 'more freely tranſacted; we have thought fit to 'propound to you, that ſome fit Perſons may be by 'you enabled to treat with the like Number to be

An. 18. Car. I. 1642. August.

'authorized by us, in ſuch a Manner, and with 'ſuch Freedom of Debate, as may beſt tend to that 'happy Concluſion which all good Men deſire, *The 'Peace of the Kingdom:* Wherein as we promiſe, 'in the Word of a King, all Safety and Encou-'ragement to ſuch as ſhall be ſent to us, if you 'ſhall chuſe the Place where we are for the *Treaty*, 'which we wholly leave to you; preſuming of 'your like Care of the Safety of thoſe we ſhall 'employ, if you ſhall name another Place: So we 'aſſure you and all our good Subjects, that, to the 'beſt of our Underſtanding, nothing ſhall be therein 'wanting on our Parts, which may advance the 'true Proteſtant Religion, oppoſe Popery and Su-'perſtition, ſecure the Law of the Land (upon 'which is built as well our juſt Prerogative, as the 'Property and Liberty of the Subject) confirm all 'juſt Power and Privileges of Parliament, and render 'us and our People truly happy, by a good Under-'ſtanding betwixt us and our Houſes of Parliament.

'Bring with you as firm Reſolutions to do your 'Duty: And let all our good People join with us 'in our Prayers to Almighty God for his Bleſſing 'upon the Work.

'If this *Propoſition* ſhall be rejected by you, we 'have done our Duty ſo amply, that God will ab-'ſolve us from the Guilt of any of that Blood which 'muſt be ſpilt; and what Opinion ſoever other 'Men may have of our Power, we aſſure you no-'thing but our Chriſtian and Pious Care to prevent 'the Effuſion of Blood, hath begot this Motion; 'our Proviſion of Men, Arms, and Money being 'ſuch as may ſecure us from further Violence, till 'it ſhall pleaſe God to open the Eyes of our People.'

When this was read, the Lords received a *Meſſage* from the Commons, deſiring a Conference about the ſame *Meſſage* to them from the King, ſent by Sir *John Colepeper*.

There was not that Difficulty in admitting this Meſſenger into the Houſe of Commons, as in the Caſe of the Earl of *Southampton* with the Lords; for the

the Commons being inform'd by Mr. Speaker, that he had receiv'd a Letter from Sir *John Colepeper* Chancellor of the *Exchequer*, ſignifying, that he was coming with a *Meſſage* from the King; which he could not deliver but as a Member of that Houſe; yet, in regard of an *Order* of the Houſe, he durſt not preſume to come till he had their Leave: A Debate aroſe thereupon, and a Motion being made, That the Queſtion for diſabling him to ſit as a Member ſhould be now put, it paſſed in the Negative by 69 againſt 26; ſo he was admitted to deliver the *Meſſage*. An. 18. Car. I. 1642. Auguſt.

At the Conference, held on this Occaſion, the Commons delivered two *Reſolutions* of theirs, to which they deſired the Lords Concurrence:

The Reſolutions of both Houſes thereupon.

1. *Reſolved*, 'That this Houſe cannot give *Anſwer* to this *Meſſage* from his Majeſty, untill the *Proclamations* and *Declarations* be recalled, whereby the Earl of *Eſſex* and both Houſes, with their Adherents and Aſſiſtants, and ſuch as have obeyed and executed their Commands, or Directions, according to their Duties, are declared Traitors, or otherwiſe Delinquents; and untill the *Standard*, ſet up in purſuance of the ſaid *Proclamations*, be taken down.'—Read, but not then agreed to.

2. *Reſolved*, 'That the Lords be deſired to join with the Commons in a Direction to the Lord-General, That he advance his Forces with all poſſible Speed, for the Defence and Safety of the Kingdom; that this Houſe doth not this out of any Apprehenſion of Backwardneſs in the Lord General, but to give Satisfaction that this *Meſſage* doth not render them any way ſlack in their Duties, for the Preſervation and Safety of the Kingdom.'—Read and agreed to.

The Meſſengers from the Houſe of Commons being called in, the Speaker told them, 'That the Lords concurred with them in the latter *Vote*; and, as to the former, they ſhould receive an *Anſwer* by Meſſengers of their own.'

A Committee being appointed for that Purpoſe, the following *Anſwer* to the King's laſt *Meſſage* was drawn up, and agreed to by both Houſes:

An. 13. Car. I. 1642.

May it please your Majesty,

August.

'THE Lords and Commons in Parliament assembled, having received your Majesty's

Their Answer to the said Message.

Message of the 25th of *August*, do with much 'Grief resent the dangerous and distracted State of 'this Kingdom; which we have, by all Means, 'endeavoured to prevent, both by our several *Ad-'vices* and *Petitions* to your Majesty, which have 'been not only without Success, but there hath fol-'lowed that, which no ill Counsel in former Times 'hath produced, or any Age hath seen; namely, 'those several *Proclamations* and *Declarations* a-'gainst both Houses of *Parliament*; whereby their 'Actions are declared *Treasonable*, and their Persons '*Traitors*: And thereupon your Majesty hath set 'up your *Standard* against them, whereby you have 'put the two Houses of Parliament, and, in them, 'this whole Kingdom, out of your Protection; so 'that, untill your Majesty shall recall those *Pro-'clamations* and *Declarations*, whereby the Earl of '*Essex* and both Houses of Parliament, and their 'Adherents and Assistants, and such as have obeyed 'and executed their Commands and Directions, 'according to their Duties, are declared *Traitors*, 'or otherwise Delinquents; and untill the *Standard*, 'set up in Pursuance of the said *Proclamations*, be 'taken down; your Majesty hath put us into such 'a Condition, that, whilst we so remain, we can-'not, by the Fundamental Privileges of Parliament, 'the public Trust reposed in us, or with the gene-'ral Good and Safety of this Kingdom, give your 'Majesty any other *Answer* to this *Message*.'

The King's Reasons for sending it.

It may be naturally inquired, What should induce the King, within three Days after erecting his *Standard* at *Nottingham*, to send this *Message*? — Mr. *Rushworth* only gives the *Message*, &c. without entering into the Reasons of it; with which it is not likely, in his Situation, as only Clerk-Assistant of the House of Commons, he could be acquainted. Mr. *Whitlocke* contents himself with saying, 'That not

not ſo many reſorted to the King's *Standard* as was expected.'—But Lord *Clarendon* enters more largely into the King's Motives, recapitulates the deſperate State of his Majeſty's Affairs at this Juncture; and, upon the whole, imputes it, in great Meaſure, to the ſame Cauſe as Mr. *Whitlocke*.—Adding, 'That when, in this great Anxiety, ſome of the Lords about the King propoſed to him the ſending the above-mentioned *Meſſage*, (which Propoſal was no ſooner made than, in a Manner, unanimouſly agreed to) his Majeſty was ſo offended at it, that he declared, He would never yield to it, and broke up the Council that it might be no longer urged: But that the next Day, when they met again, they renewed the ſame Advice with more Earneſtneſs. That the Earl of *Southampton* preſſed it as a Thing that might do Good, and could do no Harm; and the King's Reaſons, with Reference to the Inſolence it would raiſe in the Rebels, and the Diſhonour that would thereby reflect upon himſelf, were anſwered, by ſaying 'Their Inſolence would be for the King's Advantage; and when they ſhould reject the Offer of 'Peace, which they believed they would do, they 'would make themſelves the more odious to the 'People, who would be, thereby, the more inclined 'to ſerve the King.' That upon theſe and other Reaſons, and almoſt the concurrent Importunity of his Council, (Peace being ſo Popular a thing, that whoſoever oppoſed it would be ſure to be, by general Conſent, a declar'd Enemy to his Country) the King was prevailed with to ſend this *Meſſage*.

An. 18. Car. I. 1642. Auguſt.

Auguſt 29. Some *Orders* were made againſt breaking into Houſes, under Pretence of ſearching for Arms, Powder, *&c.* by which many People were robbed and plundered; which Circumſtance, alone, muſt have made the Country very miſerable at that Time. A *Petition* from the Counteſs of *Rivers* was read, complaining, That two of her Houſes, in *Eſſex* and *Suffolk*, had been plundered by tumultuous People, to the Value of 50,000*l.*

Order againſt plundering of Houſes.

An. 18. Car. I. 1642. August.

Auguſt 30. In the Proceedings of the Months of *March* and *April*, we gave an Account of a *Petition* from the County of *Kent*, the principal Actors wherein were impeached of high Crimes and Miſdemeanors:—But this Day two *Petitions*, of a different Nature, were preſented from that County to the Houſe of Commons, which found as different a Reception; and will therefore make no improper Contraſt to the other: For it appears by the *Journals*, That the Houſe being informed that divers well-affected Gentlemen of *Kent* were at the Door, they were called in: And Sir *John Sedley*, in the Name of the reſt, ſpoke to this following Effect:

Mr. Speaker,

Sir John Sedley's Speech at the preſenting two Petitions from Kent, approving of the Parliament's Proceedings.

'I Am intruſted by the well-affected Gentry and Commons of *Kent*, to preſent their humble Deſires, and faithful Reſolutions, in a *Petition* to this Honourable Houſe.

'This *Petition* comes guided hither with as many Hearts as Hands, It is like a Coat without Seam: It hath no ſubtil diſguiſed Preamble to it: It is all of a Peice; ſpeaking plain Language; yet full of Loyalty and Obedience to his Majeſty and the Parliament.

'This *Petition* is more conſiderable than any that hath been preſented from this County, coming not only from that Part of the Gentry who are exceedingly well affected to the true Religion, and their Country; but embraced with ſuch a unanimous Conſent of the entire Body of the Commonality, as that each Man conteſted for the firſt Subſcription to it.

'The Commons of *Kent* are very deeply ſenſible of the many Injuries done them by ſeveral *Petitions*, eſpecially by that late unexampled bold one to his Majeſty, falſly aſſuming to it the *Votes* of the whole County; whereas, indeed, it was contrived by a few malevolent and ambitious Spirits only, and wholly diſclaimed by the Commons, and was ſubſcribed by divers looſe and diſſolute Perſons: This

was

was grown to a dangerous Impoſthume, (having gathered the moſt of its Corruption about the Town of *Maidſtone)* had not the Parliament timely obſerved it, and applied that ſeaſonable Remedy, ſending down the late Troops of Horſe to * * *, (*b*) thereby preventing all further or future Ulcerations. For this vigilant Care of theirs, thus to preſerve the whole Body, the Commons have deſired me to return their moſt humble and grateful Acknowledgment to this Honourable Houſe.' An. 18. Car. I. 1642. Auguſt.

Then the *Petitions* were read.

To the Honourable the Knights, Citizens, and Burgeſſes, now aſſembled in the High Court of Parliament,

The HUMBLE PETITION and PROTESTATION of the KNIGHTS, GENTLEMEN, and COMMONS, of the County of *Kent*,

Sheweth,

THAT the Fear of Miſapprehenſions and Miſunderſtandings of our Duties and Reſpects to this Houſe, is that which emboldens us humbly to preſent our Affections and Proteſtations. The Petitions.

And, firſt, with all poſſible Thanks for your great Care and Reſolution, in the well Diſcharge of your public Truſt; which, with ſo much Oppoſition to you, (never read or heard of in former Times) you have hitherto undertaken, and encountered with the Hazard of ſome of your Lives and Fortunes: And we do all confidently believe, and much joy in the Thought of it, (notwithſtanding the Miſrepreſentation of your Actions by ſome, ill-affected to the Public Good, for private Ends) that all your Actions and Endeavours have aimed at the Maintenance of the Proteſtant Religion, the Preſervation of the King's Perſon, the Rights and Privileges of Parliament, and the Liberties of the Subject, according to the late Proteſtation *commended to us.*

And that there may not appear any Failure in our Duties and Reſpects to you, we, the Knights, Gen-

(*b*) *Sic in Orig.*

An. 18. Car. I. 1642. Auguſt. *Gentlemen, and Commons of the County aforeſaid, do humbly preſent this* Proteſtation; *That, to our utmoſt Powers and Endeavours, and with the Hazard of all that is near or dear unto us, in our Lives and Eſtates, we ſhall and will maintain, preſerve, and defend the Rights and Privileges of Parliament, and the full Authority thereof, the King's Perſon, the Proteſtant Religion, and the Liberties of the Subject.*

And we humbly deſire, that all ill-affected Perſons oppoſite hereunto, by the Power and Juſtice of this Houſe may receive ſuch a Degree of Puniſhment, as thoſe that are profeſſed Enemies to the true Religion, and the Peace and Proſperity of this Kingdom.

And we humbly pray God, (whom we infinitely praiſe and thank for his Bleſſings hitherto .... (e) your Endeavours, manifeſted in the happy Settlement of Peace betwixt us and our neighbour Nations; and in the Preſervation of ſome of your Members from apparent Dangers) that thoſe Miſts of Miſunderſtanding, fomented by Perſons ill-affected to our Public Peace and Religion, and now interpoſing betwixt his Majeſty's Grace and Goodneſs to you, and your Duties to him, hindering thoſe ſweet Influences, which otherwiſe, in a great Meaſure, by all Probability, would leave a free Paſſage betwixt his Majeſty and you, by your great Wiſdoms, may be ſo diſpelled, and taken away, that a clear and right Underſtanding might be had of your Actions and Intentions to his Majeſty and this Kingdom: And this (God working in his Majeſty's Heart an Inclination thereunto), we are confident, will ſpeedily render a great Proportion of Happineſs to his Majeſty, yourſelves, and the reſt of this Kingdom;

Which ſhall be the Prayers of * * * *.

To the Right Honourable the COMMONS HOUSE of PARLIAMENT.

WE your humble and faithful Petitioners, inhabiting in the County of Kent, *being deeply ſenſible of the many Miſeries which theſe calamitous Times (notwithſtanding your great Care and Vigilance to prevent the ſame) are likely to produce; wherein his Gra-*

(e) *Sic in Orig.*

Gracious Majeſty, (ſeduced by the malevolent Counſel of an ill-affected Party of Malignants and Cavaliers) the Proteſtant Religion, his Royal Perſon and Honour, the Privilege of Parliament, and the Subjects Liberty, are threatened with too too apparent Hazard and Ruin: Towards the Support of which, your Petitioners, according to the Duty of loyal Subjects, and good Chriſtians, are not only willing to contribute their beſt Wiſhes and Votes, but even the utmoſt of their Endeavours, both with their Lives and Fortunes, for the Redeeming of his Majeſty from ſuch Hands, and our Religion and Liberty from ſuch Peril and Danger. But may it pleaſe this Honourable Houſe to conſider, That the Petitioners apprehend themſelves in a Condition and Poſture nothing ſuitable to this their Reſolution; being deprived, and left naked, by the taking our Arms from us, in the late Expedition for Scotland. *We therefore beſeech your provident Care to impower us with ſuch a Proportion of Ammunition and Arms, to be magazined in theſe Parts, whereby we may be enabled to manifeſt our Affections and Obedience to the Command of King and Parliament, both for the Purſuance of the aforeſaid Intentions, and Oppoſition of all illegal Infringements of our Laws and Liberties; ſuch as the Commiſſion of* Array, *wherewith we are at this Time threatened; and what other of the like Nature and Condition ſoever ſhall be hereafter obtruded upon us.*

An. 18, Car. I. 1642. Auguſt.

And your Petitioners ſhall be bound, *&c.*

To theſe *Petitions* the Speaker, in the Name of the Houſe, delivered the following *Anſwer:*

Gentlemen,

'I Am commanded by the Houſe to let you know, that it is no ſmall Satisfaction and Contentment to this Houſe, to find the Affections and Reſolutions of your County, expreſſed to them ſo ſeaſonably, and ſo worthy of yourſelves, as they now receive them in theſe *Petitions*; eſpecially, obſerving the many ſubtle Practices that have been ſet on

The Speaker returns Thanks to the Petitioners.

An. 18. Car. I. 1642. September.

on Foot, under the Name of that County, to work in this Houſe a contrary Opinion of you; from which you have now ſo well and fully vindicated yourſelves and them.

'Nor can they but obſerve, that at this Time, when, contrary to the Fundamental Conſtitution of this Government, both Houſes of Parliament, and the whole Kingdom in Them repreſented, All, by the Seducement of wicked Counſel, are proclaimed Traitors; (a Thing untill this Time unheard-of) you do, with ſo much Zeal and Reſolution, offer yourſelves, your Lives and Fortunes, to ſupport your Religion and Liberty, your Country, King, and Parliament, all now in imminent Danger of utter Ruin: For which the Houſe hath commanded me to return you their moſt hearty Thanks. And touching theſe malignant and ill-affected Perſons, whereof you have, in your *Petition*, given a general Character; and in particular preſented a Liſt of ſome of them; this Houſe doth aſſure you, that they will, according to your Deſires, proceed againſt them with all Expedition and Severity. And, concerning your Deſires for a Supply of Ammunition and Arms, for the Defence of your County, ſuch hath been the Care of both Houſes in that Particular, and for the general Security and Peace thereof, that they have already granted full Power and Inſtructions to a Committee, and the Deputy-Lieutenants appointed by them for your County, to take a Courſe therein, which they doubt not will give you ample Satisfaction.'

September. In the firſt Day's Entry of this Month, we find nothing material, except that Intelligence was brought to the Lords, of the Apprehending of the Earl of *Carliſle*, the Biſhop of *Ely*, and the Heads of Colleges in *Cambridge*, who had found Means to convey away their Plate to the King. The Earl was committed to the Cuſtody of the Black Rod, for the preſent; but the Biſhop with the reſt were ordered to the *Tower*.

Septem-

September 2. Informations came, alſo, from ſeveral Parts, as from *Oxford*, *Worceſter*, &c. of the Plunderings and Waſtings committed by the King's Forces, called, now, *Cavaliers* in the *Journals*; and proper *Orders* were ſent to their General to grant ſuch Commiſſions, as he ſhould think neceſſary for ſettling the Peace in thoſe Counties, and the Protection of the King's Subjects. An. 18. Car. I. 1642. September.

Sir *Robert Harley*, this Day, brought up an *Order*, made by the Commons, to forbid *Stage-Plays*; which, for its Singularity, deſerves our Notice.

An Order for ſuppreſſing of Stage Plays.

'WHereas the diſtreſſed Eſtate of *Ireland*, ſteeped in her own Blood, and the diſtracted Eſtate of *England*, threatned with a Cloud of Blood by a Civil War, call for all poſſible Means to appeaſe and avert the Wrath of God, appearing in theſe Judgments: Amongſt which, Faſting and Prayer hath been often tried to be very effectual, and have been lately and are ſtill enjoined: And whereas public Sports do not well agree with public Calamities; nor public Plays with the Seaſons of Humiliation; this being an Exerciſe of ſad and pious Solemnity, and the other being Spectacles of Pleaſure, too commonly expreſſing laſcivious Mirth and Lechery: It is, therefore, thought fit, and ordained by the Lords and Commons, *&c.* That while thoſe ſad Courſes and ſet Times of Humiliations do continue, public *Stage-Plays* ſhall ceaſe and be forborne; inſtead of which are recommended to the People of this Land, the profitable and ſeaſonable Conſideration of Repentance, Reconciliation, and Peace with God; which, probably, may produce outward Peace and Proſperity, and bring again Times of Joy and Gladneſs to theſe Nations.'

Agreed to by the Lords.—As was alſo the following *Order* for baniſhing the *Capuchin Friers*, which had been ſettled at *Somerſet Houſe*, in purſuance of the Marriage Articles between the King and Queen.

'The

An. 18. Car. I. 1642. September.

Reſolutions of both Houſes thereupon;

1*ſt*. *Reſolved*, 'That the King, in proclaiming the Earl of *Eſſex*, and all his Adherents, Traitors, hath declared both Houſes to be Traitors, who have publiſhed their *Reſolutions* to adhere to him, he having done nothing but by their Authority and Direction; and doth hereby put them and the whole Kingdom out of his Protection. To prove this, the *Proclamations* and the King's *Inſtructions*, given to the Commiſſioners of *Array* ſince the laſt *Meſſage*, are ſufficient Evidence.

2*dly*, 'That the King not having removed thoſe Impediments mentioned in our former *Anſwer*, we do *reſolve* to adhere thereunto: Which is, That ſo long as the *Standard* is up, and the *Proclamation* and *Declaration* unrevoked, we cannot make any other. Only we deſire it may be conſidered, what a Diſhonour and Scorn is caſt upon us in that we, and the whole Kingdom, are put into the ſame Balance with Traitors and Delinquents: And as for that *Propoſition* of the King's, *That when we ſhall appoint a Day to revoke our* Declaration *againſt all Perſons as Traitors or otherwiſe, for aſſiſting his Majeſty, he will, upon the ſame Day, revoke his* Proclamations *and* Declarations, *and take down his Standard*; we cannot admit of it without the greateſt Danger and Diſhonour of the Kingdom and Parliament, by the conſenting to the Preſervation and Indemnity of thoſe who have been ſo apparently active to the Deſtruction of both.'

3*dly*, 'That we are as deſirous of a good Underſtanding betwixt his Majeſty and his Subjects, as ſenſible of the bleeding and diſtempered Eſtate of *England* and *Ireland*; and as careful to ſettle a good Peace in both, as any Subjects of this Kingdom have ever been: And we do, with much Grief, remember that many Things are done which give us juſt Cauſe to believe that there are not the like Intentions in his Majeſty and thoſe who govern his Affairs; in that the Ships appointed for the Guard of *Ireland*, have been recalled by his Majeſty's *Warrant*; the Proviſion of Cloaths, to be ſent to the Army there, have been taken away by his Troopers, upon the

'Means have been interrupted; becauſe, being de- An. 18. Car. I. 1642.
'ſirous to avoid Effuſion of Blood, we are willing
'to decline all Memory of former Bitterneſs, that September.
'might make our Offer of a *Treaty* leſs readily
'accepted.

'We never did declare, nor ever intended to de-
'clare, both our Houſes of *Parliament Traitors*, or
'ſet up our *Standard* againſt them; and much leſs
'to put them and this Kingdom out of our Pro-
'tection: We utterly profeſs againſt it before God
'and the World. And further, to remove all poſ-
'ſible Scruples, which may hinder the *Treaty* ſo
'much deſired by us, we hereby promiſe (ſo that
'a Day be appointed by you for the Revoking of
'your *Declarations* againſt all Perſons as *Traitors* or
'otherwiſe, for aſſiſting of us) we ſhall, with all
'Chearfulneſs, upon the ſame Day, recall our *Pro-*
'*clamations* and *Declarations*, and take down our
'*Standard*: In which *Treaty* we ſhall be ready to
'grant any Thing that ſhall be really for the Good
'of our Subjects; conjuring you to conſider the
'bleeding Condition of *Ireland*, and the dangerous
'Condition of *England*, in as high a Degree as, by
'theſe our Offers, we have declared ourſelf to do;
'and aſſuring you that our chief Deſire, in this
'World, is to beget a good Underſtanding, and mu-
'tual Confidence, betwixt us and our two Houſes
'of Parliament.'

The Lords, taking this *Meſſage* into Conſideration, appointed a Committee to prepare an *Anſwer* to it; but, at the ſame Time, *reſolved*, That the Lord-General ſhall proceed with his Forces, according to former *Reſolutions*.

The ſame Day the Commons being informed, That the Lord *Falkland* was at the Door with a *Meſſage* from the King, it was *ordered*, That he be received in the ſame Manner as Sir *John Colepeper* had been. Which was done accordingly.

A Conference between the two Houſes was held on this *Meſſage*; after which the Commons ſent up the following *Votes* for the Lords Concurrence.

1ſt,

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borne by the Delinquents, and other malignant and diſaffected Perſons; and that all his Majeſty's good and well-affected Subjects, who, by Loan of Monies, or otherwiſe, at their Charge, have aſſiſted the Common-Wealth, or ſhall, in like Manner, hereafter aſſiſt in Time of extreme Danger, may be repaid all Sums of Money by them lent for thoſe Purpoſes, and be ſatisfied all their Charges ſo ſuſtained, out of the Eſtates of the ſaid Delinquents, and of the malignant and diſaffected Party in this Kingdom.

On the Baſis of all theſe *Votes* and *Reſolutions*, a Committee of both Houſes had drawn up another *Anſwer* to the King; which was this Day read and agreed to, and was in theſe Words:

To the King's Moſt Excellent Majeſty,

The HUMBLE ANSWER *and* PETITION *of the Lords and Commons aſſembled in Parliament, unto the King's laſt* MESSAGE,

May it pleaſe your Majeſty,

Their Anſwer to the King's ſecond Meſſage.

'IF we, the Lords and Commons in Parliament aſſembled, ſhould repeat all the Ways we have taken, the Endeavours we have uſed, and the Expreſſions we have made unto your Majeſty, to prevent thoſe Diſtractions and Dangers your Majeſty ſpeaks of, likely to fall upon this Kingdom, we ſhould too much enlarge this *Reply*.

'Therefore, as we humbly, ſo ſhall we only, let your Majeſty know, that we cannot recede from our former *Anſwer*, for the Reaſons therein expreſſed; for that your Majeſty hath not taken down your *Standard*, nor recalled your *Proclamations* and *Declarations*, whereby you have declared the *Actions* of both Houſes of *Parliament* to be *Treaſonable*, and their *Perſons Traitors*; and you have publiſhed the ſame, ſince your *Meſſage* of the 25th of *Auguſt*, by your late *Inſtructions* ſent to your Commiſſioners of *Array*: Which *Standard* being

'being taken down, and the *Declarations*, *Proclamations*, and *Inſtructions* recalled, if your Majeſty 'ſhall then, upon this our *humble Petition*, leave 'your Forces, return unto your Parliament, and 'receive their faithful *Advice*, your Majeſty will 'find ſuch Expreſſions of our Fidelities and Duties, 'as ſhall aſſure you, that your Safety, Honour, and 'Greatneſs can only be found in the Affections of 'your People, and the ſincere Counſels of your 'Parliament; whoſe conſtant and undiſcouraged 'Endeavours and Conſultations have paſſed through 'Difficulties unheard-of, only to ſecure your Kingdoms from the violent Miſchiefs and Dangers now 'ready to fall upon them, and every Part of them; 'who deſerve better of your Majeſty, and can 'never allow themſelves (repreſenting your whole 'Kingdom) to be balanced with thoſe Perſons, 'whoſe deſperate Diſpoſitions and Counſels ſtill prevail ſo to interrupt all our Endeavours for the Relieving of bleeding *Ireland*, as we may fear our Labours and vaſt Expences will be fruitleſs to that 'diſtreſſed Kingdom.

'As your Preſence is thus humbly deſired by us, 'ſo is it in our Hopes your Majeſty will, in your 'Reaſon, believe there is no other Way than this 'to make your Majeſty's ſelf happy and your Kingdoms ſafe.'

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September 8. The Lords received a *Letter* from the Earl of *Bedford*, General of the Horſe, dated from *Shereborne*, in *Dorſetſhire*, *September* 6th, deſiring a Reinforcement of three Regiments of Foot, and three Troops of Horſe: Alſo another from Sir *William Waller*, acquainting them with the Reduction of *Portſmouth* Town and Fort, to the Parliament's Service.

Portſmouth reduced to the Parliament's Service.

September 9. In the Morning of this Day, the Earl of *Eſſex* acquainted the Lords, That he intended to ſet out, in a few Hours, for *St. Alban's*, to perform the Commands of both Houſes; and therefore deſired to take his Leave of them together:

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Hereupon a Conference was immediately held for that Purpoſe.

Both Armies now drawing near one another, a deciſive Battle was daily expected between *the Subjects of the ſame King*; contending which Party ſhould teſtify their Loyalty moſt; thoſe that fought *for him* and *with him*; or thoſe who, under the new Diſtinction of theſe Times, profeſſed to *defend the Political perſon of the King, whilſt they actually fought againſt his Real one.*

September 10. The Lord *Montague* of *Boughton* was ſent to the *Tower*, for executing the Commiſſion of *Array* in *Northamptonſhire*; (*c*) as was alſo the Earl of *Berkſhire*, for attempting the ſame in *Oxfordſhire*, tho' his Deſign was prevented from being put in Execution by Mr. *Hampden* and Mr. *Whitelocke* (*d*). The Lords being alſo informed, that Mr. *Aſhburnham* was come with a *Meſſage* from the King, and had been in Town ſince Yeſterday; the Uſher of the Black Rod was ſent to find him out, to take him into Cuſtody, and bring him before them.

A long *Declaration* of both Houſes of Parliament, to their *Brethren* in *Scotland*, was agreed to, containing many kind Expreſſions, *&c.* (*e*) wiſhing an Uniformity in Church Government might be eſtabliſhed, for ſettling one *Confeſſion of Faith*, one *Liturgy* or *Directory* of the public Worſhip of God, and one *Catechiſm*, in all the three Kingdoms. In which was inſerted this *Reſolution* of the *Engliſh* Parliament. *Reſolved, Nem. Con.* 'That the Government of the Church of *England*, by Archbiſhops,

(*c*) Lord *Clarendon* obſerves, That the Parliament were ſo determined to puniſh every Perſon that appeared in Favour of the Commiſſion of *Array*, that this Lord could meet with no Indulgence; although he was above Eighty Years of Age, Brother to the Earl of *Manchester*, Uncle to the Lord *Kimbolton*, and had a Son in the Houſe of Commons very unlike himſelf.

Hiſtory Vol. III. 8*vo. Edit.* p. 20.

(*d*) *Memorials* p. 59.

(*e*) Ever ſince the Beginning of this Parliament, the *Scots* were ſtyled *Brethren*; and, in Conformity with this Appellation, the Grant of 300,000*l.* for Payment of their Army, after the Pacification, was called *Brotherly-Aſſiſtance Money*. See before in Vol. IX. p. 52.

ſhops, Biſhops, their Chancellors and Commiſſaries, Deans, and Deans and Chapters, Archdeacons, and other Eccleſiaſtical Officers, hath been found, by long Experience, a great Impediment to the perfect Reformation and Growth of Religion, and very prejudicial to the State and Government of this Kingdom; and that the ſame ſhould be taken away.' An. 18. Car. I. 1642. September. The Parliament reſolve to aboliſh Epiſcopacy.

Nothing elſe material for ſome few Days.

Altho', by the foregoing *Reſolutions* and *Anſwers* of both Houſes, the King found there was no Accommodation likely to be had, unleſs he would ſurrender up himſelf and all his Friends to the Mercy of the Parliament, he was prevailed upon to make yet another Application to them for Peace: Accordingly,

September 13. A *Meſſage* from the King, directed to the Speaker of the Houſe of Lords, was brought in, and read *in hæc Verba.*

The King's Third Meſſage for Peace.

'WHO have taken moſt Ways, uſed moſt Endeavours, and made moſt real Expreſſions, to prevent the preſent Diſtractions and Dangers, let all the World judge, as well by former Paſſages, as by our two laſt *Meſſages*; which have been ſo fruitleſs, that (though we have deſcended to deſire and preſs it) not ſo much as a *Treaty* can be obtained, unleſs we would denude ourſelf of all Force to defend us from a viſible Strength marching againſt us; and admit thoſe Perſons as Traitors to us, who, according to their Duty, their Oaths of Allegiance, and the Law, have appeared in Defence of us their King and Liege Lord, whom we are bound, in Conſcience and Honour, to preſerve; though we diſclaimed all our *Proclamations* and *Declarations*, and the erecting of our *Standard* as againſt our *Parliament.*

'All we have now left in our Power is, to expreſs the deep Senſe we have of the Public Miſery of this Kingdom, in which is involved that of our diſtreſſed *Proteſtants* of *Ireland*, and to apply ourſelf to our neceſſary Defence; wherein we wholly rely upon the Providence of God, the Juſtice of

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'our Cauſe, and the Affection of our good People; 'ſo far we are from putting them out of our Pro- 'tection.

'When you ſhall deſire a *Treaty* of us, we ſhall, 'piouſly, remember whoſe Blood is to be ſpilt in 'this Quarrel, and chearfully embrace it; and as 'no other Reaſon induced us to leave our City of '*London*, but that with Honour and Safety we 'could not ſtay there; nor to raiſe any Force, 'but for the neceſſary Defence of our Perſon and 'the Law, againſt *Levies* in Oppoſition to both; 'ſo we ſhall ſuddenly and moſt willingly return 'to the one, and diſband the other, as ſoon as thoſe 'Cauſes ſhall be removed.

'The God of Heaven direct you, and, in Mercy, 'divert thoſe Judgments which hang over this Na- 'tion; and ſo deal with us and our Poſterity, as we 'deſire the Preſervation and Advancement of the 'true *Proteſtant* Religion, the Law and the Li- 'berty of the Subject, the juſt Rights of Parlia- 'ment, and the Peace of the Kingdom.'

Ordered, That the Conſideration of this *Meſſage* be referred to the Committee for the Safety of the Kingdom; and that it be communicated to the Houſe of Commons.

September 14. Sir *Robert Harley* brought up an Impeachment of High Treaſon againſt *James* Lord *Strange*, Son and Heir Apparent of *William* Earl of *Derby*, in theſe Words:

An Impeachment againſt the Lord Strange for High Treaſon.

I. 'THAT the ſaid *James* Lord *Strange*, to 'the Intent to ſubvert the Fundamental 'Laws and Liberties and very Being of Parliaments, 'and to ſet Sedition between the King and his 'People, did, upon the 15th Day of *July*, in this 'preſent Year of our Lord 1642, at *Mancheſter*, 'in the County of *Lancaſter*, and at ſeveral other 'Times and Places, actually, maliciouſly, rebelli- 'ouſly, and traiterouſly, ſummon and call together 'great Numbers of his Majeſty's Subjects, and in- cite,

'cite, perſuade, and encourage them to take up Arms and levy War againſt the King, Parliament, and Kingdom. An. 18. Car. I. 1642. September.

II. 'That the ſaid *James* Lord *Strange*, in further Proſecution of his aforeſaid wicked, traiterous, and malicious Purpoſes, did, upon the ſaid fifteenth Day of *July*, at *Mancheſter* aforeſaid, and at ſeveral other Times and Places, actually, maliciouſly, rebelliouſly, and traiterouſly, raiſe great Forces of Men and Horſe, and levied War againſt the King, Parliament, and Kingdom.

III. 'In further Proſecution of the aforeſaid wicked, traiterous, and malicious Purpoſes, the ſaid *James* Lord *Strange*, and divers other Perſons whom he had drawn into his Party and Faction, did, alſo, upon the ſaid 15th Day of *July*, at *Mancheſter* aforeſaid, maliciouſly and traiterouſly, with Force and Arms, and in an hoſtile and warlike Manner, kill, murder, and deſtroy, *Richard Percival*, of *Kirkmanſhalme*, in the ſaid County of *Lancaſter*, Linen-Webſter; and did then and there, at divers other Times and Places, in the like hoſtile Manner as aforeſaid, ſhoot, ſtab, hurt, and wound divers others of his Majeſty's good Subjects, contrary to the Laws and Peace of this Kingdom of *England*, and contrary to his Majeſty's Royal Crown and Dignity.

IV. 'The ſaid *James* Lord *Strange* hath ſet Sedition between the King and his People, and now is in open and actual Rebellion againſt the King, Parliament, and Kingdom.

'For which Matters and Things the Knights, Citizens, and Burgeſſes of the Houſe of Commons do, in the Name of themſelves, and of all the Commons of *England*, impeach the ſaid *James* Lord *Strange* of High Treaſon.

'And the ſaid Commons, by Proteſtation, ſaving to themſelves the Liberty of exhibiting, at any Time hereafter, any other Accuſation, &c. [*in the uſual Form*] do pray that the ſaid *James* Lord *Strange* may be put to anſwer all and every the Premiſes, that ſuch Proceedings, Examinations, Trials, and

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'Judgment, may be upon them, and every one of 'them, had and uſed, as ſhall be agreeable to Law 'and Juſtice.'

Ordered, 'That the *Anſwer* to be returned to the Houſe of Commons ſhall be, That this Houſe hath received the Impeachment againſt the Lord *Strange*; and that they will take the beſt Courſe they can to have the Lord *Strange* brought to anſwer the ſaid Impeachment.'

The Lords taking into Conſideration what Courſe to take for ſending to ſummon the Lord *Strange* to appear, and anſwer his Impeachment of High Treaſon; and conſidering that, if Meſſengers be ſent they will be impriſoned, and if Proclamation-Writs be ſent down they will not be ſealed: Therefore they thought fit to communicate this to the Houſe of Commons, to adviſe in this Caſe how Delinquents may be brought up to Trial: A *Meſſage* was accordingly ſent, by Sir *Robert Rich* and Mr. *Page*, to deſire a Conference with the Commons, concerning the Impeachment of the Lord *Strange*.

September 15. The Commons ſent up to deſire the Lords to write to the Lord-General to advance the Army towards the Place where the King was, as ſoon and as conveniently as ſo great a Body can move, and as, in his Wiſdom, he ſhall think fit; and that a *Petition* and *Inſtructions* ſhall be ſent after him: But the Lords thought fit the Lord-General ſhould have the *Petition* and *Inſtructions* before he marched his Army, and that the Commons be deſired to haſten them.

An *Order* was made, in the Nature of a *Proclamation*, againſt the Lord *Strange*, to be printed and publiſhed in all Churches and Chapels, and all Market Towns, *&c.* prohibiting all Perſons to join with or aſſiſt him with Men, Money, Ammunition, *&c.*

An *Anſwer* to the King's laſt *Meſſage* to the Parliament was this Day read and agreed to, and ordered

dered to be preſented to his Majeſty by Sir *Richard May*. It was as follows: An. 18. Car. I. 1642. September.

To the King's Moſt Excellent Majeſty.

The HUMBLE ANSWER *of the Lords and Commons in Parliament aſſembled, to his Majeſty's laſt* MESSAGE *of the* 11*th of* September, 1642.

May it pleaſe your Majeſty,

The Parliament's Anſwer to the King's laſt Meſſage.

'WE the Lords and Commons in Parliament aſſembled, do preſent this our *humble Anſwer* to your Majeſty's *Meſſage* of the 11th of this inſtant *September:* When we conſider the Oppreſſions, Rapines, Firing of Houſes, and Murders (even at this Time when your Majeſty propounded a *Treaty*) committed upon your good Subjects by your Soldiers, in the Preſence, and by the Authority of their Commanders, being of the Number of thoſe whom your Majeſty holds yourſelf bound in Honour and Conſcience to protect, as Perſons doing their Duties; we cannot think that your Majeſty hath done all that in you lies to prevent or remove the preſent Diſtractions; nor ſo long as your Majeſty will admit no Peace, without ſecuring the Authors and Inſtruments of theſe Miſchiefs from the Juſtice of the Parliament; which yet ſhall be ever diſpenſed with all requiſite Moderation and Diſtinction of Offences, although ſome of thoſe Perſons be ſuch, in whoſe Preſervation your Kingdom cannot be ſafe, nor the unqueſtionable Rights and Privileges of Parliament be maintained, without which the Power and Dignity thereof will fall into Contempt.

'We beſeech your Majeſty therefore to conſider your Expreſſions, *That God ſhall deal with you and your Poſterity, as your Majeſty deſires the Preſervation of the juſt Rights of Parliament*; which being undeniable in the Thing, of ſuch as we have declared to be Delinquents, we ſhall believe your Majeſty, both towards yourſelf and Parliament, will not, in this Privilege we are moſt ſen-

'ſible

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'ſible of, deny us that which belongs unto the 'meaneſt Court of Juſtice in this Kingdom. Nei-'ther hath your Majeſty Cauſe to complain, That 'you are denied a *Treaty*, when we offer all that a '*Treaty* can produce, or your Majeſty expect; Se-'curity, Honour, Service, Obedience, Support, and 'all other Effects of humble, loyal, and faithful 'Subjection; and ſeek nothing but that our Religi-'on, Liberty, Peace of the Kingdom, and Safety of 'the Parliament may be ſecured from the open Vio-'lence and cunning Practices of a wicked Party, 'who have long plotted our Ruin and Deſtruction.

'And if there were any Cauſe of *Treaty*, we 'know no competent Perſons to treat betwixt the 'King and Parliament; and if both Cauſe and Per-'ſons were ſuch as to invite a *Treaty*, the Seaſon 'is altogether unfit, whilſt your Majeſty's *Standard* 'is up, your *Proclamations* and *Declarations* unre-'called, whereby your Parliament is charged with 'Treaſon.

'If your Majeſty ſhall perſiſt to make yourſelf a 'Shield and Defence to thoſe Inſtruments, and ſhall 'continue to reject our faithful and neceſſary Ad-'vice of Securing and Maintaining Religion and Li-'berty, with the Peace of the Kingdom and Safe-'ty of the Parliament; we doubt not but, to indif-'ferent Judgments, it will appear who is moſt 'tender of that innocent Blood which is like to be 'ſpilt in this Cauſe; your Majeſty, who, by ſuch 'Perſiſting, doth endanger yourſelf and your King-'doms; or we, who are willing to hazard ourſelves 'to preſerve both.

'We humbly beſeech your Majeſty to conſider 'how impoſſible it is that any *Proteſtations*, though 'publiſhed in your Majeſty's Name, of your Ten-'derneſs of the Miſeries of your Proteſtant Sub-'jects in *Ireland*, or your Reſolution to maintain 'the Proteſtant Religion and Laws of this King-'dom, can give Satisfaction to reaſonable and indif-'ferent Men; when, at the ſame Time, divers of 'the *Iriſh* Traitors and Rebels, the known Favourers 'of them, and Agents for them, are admitted to

'your

'your Majeſty's Preſence with Grace and Favour, and ſome of them employed in your Service; when the Cloaths, Munition, Horſe, and other Neceſſaries bought by your Parliament, and ſent for the Supply of the Army againſt the Rebels there, are violently taken away; ſome by your Majeſty's Command, others by your Miniſters, and applied to the Maintenance of an unnatural War againſt the People here. An. 18. Car. I. 1642. September.

'All this notwithſtanding, as we never gave your Majeſty any juſt Cauſe for Withdrawing yourſelf from your great Council; ſo it hath ever been, and ſhall ever be, far from us to give any Impediment to your Return; or to neglect any proper Means of curing the Diſtempers of the Kingdom, and cloſing the dangerous Breaches betwixt your Majeſty and your Parliament, according to the great Truſt which lies upon us. And if your Majeſty ſhall now be pleaſed to come back to your Parliament without your Forces, we ſhall be ready to ſecure your Royal Perſon, Crown and Dignity, with our Lives and Fortunes; your Preſence in this great Council being the only Means of any *Treaty* betwixt your Majeſty and them with Hope of Succeſs.

'And in none of our Deſires to your Majeſty ſhall we be ſwayed by any particular Man's Advantage, but ſhall give a clear Teſtimony to your Majeſty and the whole World, That, in all Things done by us, we faithfully intend the Good of your Majeſty and of your Kingdom; and that we will not be diverted from this End by any private or Self-reſpects whatſoever.'

September 17. An Impeachment of High Treaſon was ſent up by the Commons and read, but not entered in the *Journals*, againſt the Marquis of *Hertford*, Lord *Pawlet*, Lord *Seymour*, *John Digby*, Eſq; Sir *John Pawlet*, Sir *John Stawel*, Sir *Ralph Hopton*, Sir *Charles Berkley*, Sir *Edward Berkley*, Sir *Henry Berkley*, Sir *Edward Rodney*, Sir *Francis Dod-* The Commons impeach the Marquis of Hertford, &c. of High Treaſon.

An. 18. Car. I. 1642. *Doddington, Edmund Windham, Thomas Smith,* and *Edward Kirton,* Eſqrs.

September.

September 19. The Lord *Mohun,* Sir *Peter Courtney,* and Sir *Nicholas Slanning* were ordered to be ſent for as Delinquents, on the Commiſſion of *Array.* The Lord *Mohun* had ſent the following Letter to the Houſe, in Excuſe of his Abſence, along with the King's *Writ* of Diſpenſation for the ſame, and a Command not to obey any *Summons* from Parliament to the contrary.

To the Right Honourable the LORDS aſſembled in Parliament.

My Lords, Sept. 7, 1642.

Lord Mohun's Letter of Excuſe for not attending the Houſe.

I Muſt ſubmit to your Lordſhips, who are to be the Acquitters of my Innocency, whether it be agreeing to the Orders *of your Houſe, the Privilege of Peers, and the Precedents of former Times, that a Peer unheard, and not a Witneſs examined againſt him, ſhould be ſent for in this Manner, as a common Rogue, to appear before your Lordſhips.*

This certainly, if I was guilty, is a very ſevere Courſe; if innocent is too great a Puniſhment: And I beſeech your Lordſhips, if this be without a Precedent, to be very careful how you involve your Poſterity in Precedents of this Nature; and I do not conceive that the Crimes objected are of that Nature, but, if your Lordſhips ſo pleaſe, they might, by the Laws of the Land, be tried in a far milder Way.

I had the Honour to ſit in Parliament, as a Peer, till about the Beginning of February *laſt; at which Time there was a great Buſtle about getting your Lordſhips to agree with the Houſe of Commons in the* Militia; *where I ſtill gave my Vote according to my Conſcience, as long as I could ſit there with the Safety of my Perſon and Honour; which when I could no longer do, for the Tumults that then ſwarmed about both Houſes of Parliament, I begged Leave of the King for my Abſence, and left my Proxy in the Lords Houſe: And, by reaſon I did not conceive myſelf ſafe from*

from Tumults to this Day, I abſented myſelf thus long from that Houſe; and, when that Fear and Jealouſy is taken away, I will not fail to attend the Houſe again. An. 18. Car. I. 1642. September.

For theſe Reaſons I beſeech your Lordſhips to revoke the ſaid Order, *and to diſpenſe with my Abſence; and, for this Favour, I will ever pray that God would ſo guide and direct you, that all your Proceedings may tend to the Glory of God, the Honour and Content of his Majeſty, and the Peace and Good of the Kingdom.*

MOHUN.

September 21. Sir *Robert Harley*, from the Commons, brought up a Draught of a *Petition* which had been framed by that Houſe, and was to be preſented to the King by their General, the Earl of *Eſſex*. The *Petition* ran in theſe Words:

The Parliament ſend a Petition to the King, to be preſented by the Earl of Eſſex.

WE your Majeſty's loyal Subjects, the Lords and Commons in Parliament, cannot, without great Grief and Tenderneſs of Compaſſion, behold the preſſing Miſeries, the imminent Dangers, and the devouring Calamities, which do extremely threaten, and have partly ſeized upon both your Kingdoms of England *and* Ireland, *by the Practices of a Party prevailing with your Majeſty; who, by many wicked Plots and Conſpiracies, have attempted the Alteration of the true Religion, the antient Government of this Kingdom, and the introducing of* Popiſh *Idolatry and Superſtition in the Church, and Tyranny and Confuſion in the State; and, for the compaſſing thereof, have long corrupted your Majeſty's Counſels, abuſed your Power, and, by ſudden and untimely Diſſolving of former Parliaments, have often hindered the Reformation and Prevention of thoſe Miſchiefs. And being now diſabled to avoid the Endeavours of this Parliament by any ſuch Means, have traiterouſly attempted to over-awe the ſame by Force: And, in proſecution of their wicked Deſigns, have excited, encouraged, and foſtered an unnatural Rebellion in* Ireland, *by which, in a moſt cruel and moſt outrageous Manner, many thouſands of your Majeſty's*

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jeſty's Subjects there have been deſtroyed; and, by falſe Slanders upon your Parliament, and malicious and unjuſt Accuſations, have endeavoured to begin the like Maſſacre here. And being, through God's Bleſſing, therein diſappointed, have, as the moſt miſchievous and bloody Deſign of all, drawn your Majeſty to make War againſt your Parliament and good Subjects of this Kingdom, leading, in your Perſon, an Army againſt them, as if you intended, by Conqueſt, to eſtabliſh an Abſolute and Unlimited Power over them; and, by your Power, and the Countenance of your Preſence, have ranſack'd, ſpoiled, impriſoned, and murdered divers of your People: And, for the better Aſſiſtance in their wicked Deſigns, do ſeek to bring over the Rebels of Ireland, *and other Forces from beyond the Seas, to join with them: And we finding ourſelves utterly deprived of your Majeſty's Protection, and the Authors, Counſellors, and Abettors of theſe Miſchiefs in greateſt Power and Favour with your Majeſty, and defended by you againſt the Juſtice and Authority of your High Court of Parliament (whereby they are grown to that Height and Inſolence as to manifeſt their Rage and Malice againſt thoſe of the Nobility and others, who are any whit inclinable unto Peace, not without great Appearance of Danger to your own Royal Perſon, if you ſhall not in all Things concur with their wicked and traiterous Courſes) have, for the juſt and neceſſary Defence of the* Proteſtant *Religion, of your Majeſty's Perſon, Crown and Dignity, of the Laws and Liberties of the Kingdom, and the Privileges and Power of Parliament, taken up Arms; and appointed and authorized* Robert *Earl of* Eſſex *to be Captain-General of all the Forces by us raiſed, and to lead and conduct the ſame againſt thoſe Rebels and Traitors, and them to ſubdue and bring to condign Puniſhment:*

And we do moſt humbly beſeech your Majeſty to withdraw your Royal Preſence and Countenance from theſe wicked Perſons; and, if they ſhall ſtand out in Defence of their rebellious and unlawful Attempts, that your Majeſty would leave them to be ſuppreſſed by that Power which we have ſent againſt them;

them; and that your Majeſty will not mix your own Dangers with theirs, but in Peace and Safety, without your Forces, forthwith return to your Parliament; and, by their faithful Counſel and Advice, compoſe the great Diſtempers and Confuſions abounding in both your Kingdoms, and provide for the Security and Honour of yourſelf and your Royal Poſterity, and the proſperous Eſtate of all your Subjects: Wherein, if your Majeſty pleaſe to yield to our moſt humble and earneſt Deſires, we do, in the Preſence of Almighty God, profeſs, that we will receive your Majeſty with all Honour, yield you all due Obedience and Subjection, and faithfully endeavour to ſecure your Perſon and Eſtate from all Dangers; and, to the uttermoſt of our Power, procure and eſtabliſh to yourſelf, and to your People, all the Bleſſings of a glorious and happy Reign.

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The ſame Day, and by the ſame Meſſenger, the Commons ſent to the Lords a Form of the *Inſtructions*, by which their General was to act; both which were agreed to by them as follows:

INSTRUCTIONS *of the* LORDS *and* COMMONS *now in Parliament aſſembled, to be given to his Excellency* ROBERT *Earl of* ESSEX, *General of the Army.*

I. 'YOU ſhall careſully reſtrain all Impieties, Profaneneſs, Diſorders, Violence, Inſolence, and Plundering, in your Soldiers, as well 'by ſtrict and ſevere Puniſhment of ſuch Offences, 'as by all other Means, which you in your Wiſdom 'ſhall think fit.

Their Inſtructions to him as Captain-General

II. 'Your Lordſhip is to march with ſuch Forces as you think fit, towards the Army raiſed, in 'his Majeſty's Name, againſt the Parliament and 'Kingdom; *(m)* [*and with them, or any Part of 'them, to fight, at ſuch Time and Place as you 'ſhall judge moſt to conduce to the Peace and Safety 'of the Kingdom.*] And you ſhall uſe your 'ut-

(m) The Paſſages between Crotchets are omitted in *Ruſhworth*, but ſupplied from the *Commons Journals*.

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'utmoſt Endeavours, by Battle or otherwiſe, to 'reſcue his Majeſty's Perſon, and the Perſons of 'the Prince and the Duke of *York*, out of the 'Hands of thoſe deſperate Perſons who are now a-'bout them.

III. 'You ſhall take an Opportunity, in ſome 'ſafe and honourable Way, to cauſe the *Petition* of 'both Houſes of Parliament, herewith ſent unto 'you, to be preſented unto his Majeſty: And if his 'Majeſty ſhall thereupon pleaſe to withdraw himſelf 'from the Forces now about him, and to reſort to 'the Parliament, you ſhall cauſe all thoſe Forces to 'diſband, and ſhall ſerve and defend his Majeſty 'with a ſufficient Strength in his Return.

IV. 'You ſhall publiſh and declare, That if a-'ny, who have been ſo ſeduced by the falſe Aſper-'ſions caſt upon the Proceedings of the Parliament, 'as to aſſiſt the King in the acting of thoſe dange-'rous Counſels, ſhall willingly, within ten Days 'after ſuch Publication in the Army, return to their 'Duty, not doing any hoſtile Act within the Time 'limited, and join themſelves with the Parlia-'ment, in Defence of Religion, his Majeſty's Per-'ſon, the Liberties and Laws of the Kingdom, and 'Privileges of Parliament, with their Perſons and 'Eſtates, as the Members of both Houſes, and the 'reſt of the Kingdom have done; That the Lords 'and Commons will be ready, upon their Submiſ-'ſion, to receive ſuch Perſons in ſuch Manner, as 'they ſhall have Cauſe to acknowledge they have 'been uſed with Clemency and Favour; provided 'that this ſhall not extend to admit any Man into 'either Houſe of Parliament, who ſtands ſuſpended, 'without giving Satisfaction to the Houſe whereof 'he ſhall be a Member: And except all Perſons who 'ſtand impeach'd [*or particularly voted, in either 'Houſe of Parliament, for any Delinquency whatſo-'ever: Excepting likewiſe ſuch Adherents of thoſe who 'ſtand impeached*] in Parliament of Treaſon, as have 'been eminent Perſons and chief Actors in thoſe 'Treaſons: And except the Earl of *Briſtol*, the 'Earl of *Cumberland*, the Earl of *Newcaſtle*, the

'Earl

'Earl *Rivers*, Secretary *Nicholas*, Mr. *Endimion* 'Porter, Mr. *Edward Hide*, the Duke of *Rich-* 'mond, the Earl of *Caernarvon*, the Lord Viſcount 'Newark, and the Lord Viſcount *Falkland*, one of 'the principal Secretaries of State to his Majeſty. An. 18. Car. I. 1642. September.

V. 'You ſhall apprehend the Perſons of all thoſe 'who ſtand impeached in Parliament, or have been 'declared Traitors by both or either Houſe of Par- 'liament, or otherwiſe Delinquents; and you ſhall 'ſend them up to the Parliament to receive condign 'Puniſhment, according to their Offences.

VI. 'You ſhall receive the Loans or Contri- 'butions of Money, Plate, or Horſes, from all his 'Majeſty's loving Subjects, which they ſhall be 'willing to make for the Support of the Charge of 'the Army, and better Diſcharge of the Service of 'the Common-wealth; and you ſhall certify all 'ſuch Sums of Money, and the Value of ſuch 'Horſes, that the Parties may thereupon have the 'Benefit of the Public Faith, for Payment to be 'made unto them, as to others of his Majeſty's Sub- 'jects, upon the Propoſitions [*for the Subſcriptions*] 'of Money, Plate, and Horſes.

VII. 'You ſhall carefully protect all his 'Majeſty's Subjects from Rapine and Violence 'by any of the *Cavaliers*, or other Soldiers of his 'Majeſty's pretended Army, or by any of the Sol- 'diers of the Army which you command; and 'you ſhall cauſe the Arms and Goods of any Per- 'ſon to be reſtored to them, from whom they have 'been unjuſtly taken.

VIII. 'You ſhall obſerve ſuch further Direc- 'tions and Inſtructions, as you ſhall, from Time to 'Time, receive from both Houſes of Parliament.'

September 22. Mr. *Pymme* came up from the Commons, with a Copy of ſome additional *Inſtructions*, or *Directions*, to the former, for conſtituting a ſtanding Committee of aſſiſtant Members from both Houſes, in the Army; to which they alſo deſired their Lordſhips Concurrence: This was alſo read

A Committee of both Houſes appointed to attend their Army.

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read and approved of, and a ſelect Number of Lords appointed for that Purpoſe. Their Names were, the Earl of *Eſſex* Lord-General, the Earls of *Peterborough* and *Stamford*, the Lords *Kimbolton*, *Wharton*, *St. John*, *Fielding*, *Hunſdon*, *Haſtings*, *Brook*, *Roberts*, and *Willoughby* of *Parham*. Theſe twelve, with twenty-four Commoners, were to act as follows:

Inſtructions to them from both Houſes.

I. 'THE ſaid Committee, or any four of them, whereof the ſaid Earl of *Eſſex* to be one, 'ſhall have Power to meet together at ſuch Times 'and Places as they ſhall think fit, and to conſider and 'adviſe touching ſuch Matters that ſhall concern 'the Army, as the ſaid Earl ſhall think convenient. 'And, from Time to Time, ſhall acquaint both 'Houſes of Parliament with their Reſolutions there-'in, that both Houſes may further proceed there-'upon, as to them ſhall be thought convenient for 'the Public.

II. 'They, or any four of them, whereof the Earl 'of *Eſſex* to be one, ſhall have Power, and are 'hereby authorized, to adviſe and uſe all convenient 'and reaſonable Means they can, to ſupply the 'Army with Money and other Neceſſaries: And, 'for that End and Purpoſe, are hereby authorized 'to take the Subſcriptions of all Perſons that ſhall 'give, lend, or advance any Money, Plate, or 'other Proviſions whatſoever, neceſſary for the 'Army, and ſhall give a Note unto all ſuch Per-'ſons that ſhall ſo lend or advance, expreſſing 'the Nature and Particular thereof; which Note, 'ſubſcribed with the Hand of the ſaid Earl of *Eſſex*, 'and any three of the ſaid Committee, whereof two 'to be of the Houſe of Commons, ſhall be ſufficient 'Warrant for the Party that ſhall ſo lend or ad-'vance, to receive the ſame again, with Intereſt 'after the Rate of 8 *l. per Cent.* out of ſuch Mo-'nies as ſhall be collected for the Affairs of this 'Kingdom, and both Houſes do engage the Public 'Faith for the ſame.

III.

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III. 'They, or any four of them, whereof the 'Earl of *Eſſex* to be one, ſhall have Power, and are 'hereby authorized, to ſit with the ſaid Earl; and 'to examine all ſuch Perſons as ſhall be ſent for, 'apprehended or brought before them, by virtue of 'any *Warrant*, ſent and iſſued under the Hand of 'the Lord-General; and ſhall have Power to con-'tinue them in ſafe Cuſtody, and ſend them up to 'Parliament, or diſcharge them, as they ſhall think 'fit, and ſhall moſt tend to the Public Good.'

September 23. An *Order* was made for raiſing, ſpeedily, 1000 Dragoons and ſome Troops of Horſe, to be ſent againſt the Lord *Strange* and his Party, in *Lancaſhire*.

Nothing elſe material happen'd, to the End of this Month; except that, on the 23d, a ſtrict *Order* was made for all the Regiments of Horſe and Foot in the Parliament's Service, to repair, forthwith, to the Rendezvous appointed for them. The Earl of *Eſſex* had ſet out from *London*, in great State, ſays *Ruſhworth*, the 9th of this Month, and went to his Head Quarters at St. *Alban*'s: From thence he marched to *Northampton*; where, ſoon after, his whole Army met him, making altogether about 15,000 Men.

The Earl of Eſſex aſſembles all his Forces at Northampton;

The King, after erecting his Standard at *Nottingham*, marched from thence to *Derby*, *Stafford*, and *Leiceſter*, and ſo into *Wales*. At *Shrewſbury* his Majeſty's Army was increaſed to a conſiderable Body; and great Quantities of Plate being brought in to him, he erected a new Mint and had Store of Money.

And the King his at Shrewſbury.

Before this his Majeſty had raiſed much Treaſure, by receiving large Remittances from the Queen, on her pawned Jewels; by Contributions from the Lords and Gentlemen with him at *York*; and by a Loan from the Univerſity of *Oxford*. On the other Hand, the Parliament were furniſhed with Money, by Loans upon the Public Faith; and, by the painful Endeavours of ſeveral Miniſters, and

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other Ways already deſcribed, a great Quantity of Money, Plate, and Ammunition, was brought in. Beſides all this the Parliament had alſo taken 100,000 *l.* of the 400,000 *l.* voted to be raiſed for the Service of *Ireland*. This the King loudly complained of; but they juſtified it, and ſtrove, by Recriminations, to throw the Odium of hindring the *Iriſh* Buſineſs upon him; as appears by his Majeſty's *Meſſage*, and the Parliament's *Anſwer* before given.

In the King's Progreſs thro' the Counties abovementioned, he collected the Gentry and People together at particular Places, and made ſeveral Speeches to them; moſt, or all, of which were printed by the King's Authority at that Time, and are in *Huſband*'s and *Ruſhworth*'s *Collections*: But, as none of theſe fall in the *Journals* of either Houſe, we omit them; except one which was read in that of the Lords, on the 29th of this Month, and ſeems to have given them more Pain than any of the reſt, by their taking ſuch particular Notice of it. This we ſhall therefore inſert, with the conſequent Orders thereupon.

His MAJESTY'S SPEECH *and* PROTESTATION, *made at the Head of his Army, between* Stafford *and* Wellington, *the* 19*th of* September, 1642, *after the reading of his* ORDERS. *And firſt*

His MAJESTY'S SPEECH.

Gentlemen,

His Majeſty's Speech at the Head of his Army.

'YOU have heard theſe *Orders* read; it is your Part, in your ſeveral Places, to obſerve them exactly: The Time cannot be long before we come to Action, therefore you have the more Reaſon to be careful; and I muſt tell you, I ſhall be very ſevere in the Puniſhing of thoſe, of what Condition ſoever, who tranſgreſs theſe *Inſtructions*. I cannot ſuſpect your Courage and Reſolution. Your Conſcience and your Loyalty hath brought you hither to fight for your *Religion*, your *King*, and the *Laws* of the Land. You ſhall meet with no

'no Enemies, but *Traitors*, moſt of them *Browniſts*, *Anabaptiſts*, and *Atheiſts*; ſuch who deſire to deſtroy both *Church* and *State*, and who have already condemned you to Ruin for being loyal to us. An. 18. Car. I. 1642. September.

'That you may ſee what Uſe I mean to make of your Valour, if it pleaſe God to bleſs it with Succeſs, I have thought fit to publiſh my Reſolution to you in a *Proteſtation*; which, when you have heard me make, you will believe you cannot fight in a better Quarrel; in which I promiſe to live and die with you.'

His MAJESTY's PROTESTATION.

'I Do promiſe in the Preſence of Almighty God, and as I hope for his Bleſſing and Protection, That I will, to the utmoſt of my Power, defend and maintain *the true Reformed Proteſtant Religion, eſtabliſhed in the Church of England*; and, by the Grace of God, in the ſame will live and die. And his Proteſtation.

'I deſire to govern by *the known Laws of the Land*, and that *the Liberty and Property of the Subject* may be, by them, preſerved with the ſame Care as my own juſt Rights. And if it pleaſe God, by his Bleſſing upon this Army raiſed for my neceſſary Defence, to preſerve me from this Rebellion, I do ſolemnly and faithfully promiſe, in the Sight of God, to maintain *the juſt Privileges and Freedom of Parliament*; to govern by *the known Laws of the Land*, to my utmoſt Power; and particularly to obſerve inviolably *the Laws conſented to by me this Parliament*. In the mean while, if this Time of War, and the great Neceſſity and Straits I am now driven to, beget any Violation of thoſe; I hope it ſhall be imputed, by God and Man, to the Authors of this War, and not to me, who have ſo earneſtly laboured for the Preſervation of *the Peace of this Kingdom*.

'When I willingly fail in theſe Particulars, I will expect no Aid or Relief from any Man, or Protection from Heaven: But in this Reſolution

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'I hope for the chearful Aſſiſtance of all good Men, 'and am confident of God's Bleſſing.'

After the Reading this *Speech* and *Proteſtation*, it is entered, that 'Becauſe theſe may prove of much Prejudice to the Parties that are employed by the Parliament in the Army, the Houſe *reſolved*, That a Conference be held with the Commons, in order to appoint a Committee of both Houſes, to conſider of ſomewhat to be printed by their Authority, along with the ſaid *Proteſtation*, to vindicate the Reputation of thoſe Perſons concerned; and that ſomewhat may be expreſſed in it, That it is not the Intent of Parliament utterly to take away the Common Prayer-Book, as is rumoured abroad.'

Which give great Offence to the Parliament.

About the ſame Time was printed the following *Speech* and *Proteſtation* of the Earl of *Eſſex*, at the Head of the Parliament's Army, before his Arrival at *Worceſter*, on the 24th of *September*; which may ſerve as a Contraſt to the foregoing *Speech* and *Proteſtation* of the King's, and will therefore very properly conclude the Tranſactions of this Month. *(n)*

Gentlemen and Fellow Soldiers,

The Earl of Eſſex's Speech and Proteſtation, at the Head of the Parliament-Army.

'YE are at this Time aſſembled for the Defence of his Majeſty, and the Maintenance of the true *Proteſtant* Religion, under my Command; I ſhall therefore deſire you to take Notice what I, that am your General, ſhall, by my Honour, promiſe to perform toward you, and what I ſhall be forced to expect that you ſhould perform towards me.

'I do promiſe, in the Sight of Almighty God, that I ſhall undertake nothing but what ſhall tend to the Advancement of the true *Proteſtant* Religion, the Securing of his Majeſty's Royal Perſon, the Maintenance of the juſt Privilege of Parliament, and the Liberty and Property of the Subject; neither

(n) From the Edition of the Times, publiſhed by *Henry Fowler*, *September* the 29, 1642. This is not in any of the printed *Collections*.

ther will I engage any of you into any Danger, but (though for many Reaſons I might forbear) I will in my own Perſon run an equal Hazard with you; and either bring you off with Honour, or (if God have ſo decreed) fall with you, and willingly become a Sacrifice for the Preſervation of my Country. An. 18. Car. I. 1642. September.

'Likewiſe I do promiſe that my Ear ſhall be open to hear the Complaint of the pooreſt of my Soldiers, though againſt the chiefeſt of my Officers; neither ſhall his Greatneſs, if juſtly tax'd, gain any Privilege, but I ſhall be ready to execute Juſtice againſt all, from the greateſt to the leaſt.

'Your Pay ſhall be conſtantly delivered to your Commanders, and if Default be made by any Officer, give me timely Notice, and you ſhall find ſpeedy Redreſs.

'This being performed on my Part, I ſhall now declare what is your Duty toward me, which I muſt likewiſe expect to be carefully performed by you.

'I ſhall deſire all and every Officer to endeavour, by Love and affable Carriage, to command his Soldiers; ſince what is done for Fear is done unwillingly, and what is unwillingly attempted can never proſper.

'Likewiſe 'tis my Requeſt that you be careful in the Exerciſing of your Men, and bring them to uſe their Arms readily and expertly, and not to buſy them in practiſing the ceremonious Forms of Military Diſcipline; only let them be well inſtructed in the neceſſary Rudiments of War, that they may know to fall on with Diſcretion, and retreat with Care; how to maintain their Order, and make good their Ground.

'Alſo I do expect that all thoſe, who have voluntarily engaged themſelves in this Service, ſhould anſwer my Expectation in the Performance of theſe enſuing Articles:

1. 'That you willingly and chearfully obey ſuch as, by your own Election, you have made Commanders over you.

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2. 'That you take ſpecial Care to keep your Arms at all Times fit for Service, that upon all Occaſions you may be ready, when the Signal ſhall be given by the Sound of Drum or Trumpet, to repair to your Colours; and ſo to march upon any Service, where and when Occaſion ſhall require.

3. 'That you bear yourſelves like Soldiers, without doing any Spoil to the Inhabitants of the Country: So doing you ſhall gain Love and Friendſhip, where otherwiſe you will be hated and complained of; and I, that ſhould protect you, ſhall be forced to puniſh you according to the Severity of Law.

4. 'That you accept and reſt ſatisfied with ſuch Quarters as ſhall fall to your Lot, or be appointed you by your Quartermaſter.

5. 'That you ſhall, if appointed for Centries or Perdues, faithfully diſcharge that Duty; for, upon Fail hereof, you are ſure to undergo a very ſevere Cenſure.

6. 'You ſhall forbear to profane the Sabbath, either by being drunk, or by unlawful Games; for whoſoever ſhall be found faulty muſt not expect to paſs unpuniſhed.

7. 'Whoſoever ſhall be known to neglect the Feeding of his Horſe with neceſſary Provender, to the end that his Horſe be diſabled or unfit for Service; the Party, for the ſaid Default, ſhall ſuffer a Month's Impriſonment, and afteward be caſhiered as unworthy the Name of a Soldier.

8. 'That no Trooper, or other of our Soldiers, ſhall ſuffer his Paddee to feed his Horſe in the Corn, or to ſteal Men's Hay; but ſhall pay every Man for Hay 6*d.* Day and Night, and for Oats 2*s.* the Buſhel. And *laſtly*,

9. 'That you avoid Cruelty; for it is my Deſire rather to ſave the Lives of Thouſands than to kill one, ſo that it may be done without Prejudice.

'Theſe Things faithfully performed, and the Juſtice of our Cauſe truly conſidered, let us advance with a religious Courage, and willingly adventure

venture our Lives in the Defence of the King and Parliament.' An. 18. Car. I. 1642. October.

October. On the firſt of this Month is entered in the *Lords Journals*, a Liſt of the *Engliſh* Guard-Ships at that Time; when the *Henrietta Maria*, the Earl of *Warwick*, Admiral, is put down at, only, 250 Men. A vaſt Diſproportion between this and the Complement of Men in the Admirals Ships of our Days.

October 3. The Lords received a Packet of Letters from the Lord-General, in which was a Copy of one his Lordſhip had ſent to the Earl of *Dorſet*, in theſe Words:

My Lord,

I Am commanded by the Parliament to preſent their humble Deſires, in a Petition *to his Majeſty, which I deſire your Lordſhip would acquaint him with; that I may know his Majeſty's Pleaſure in what Manner he will have it preſented to him, and that there may be a ſafe Convoy for ſuch Perſons as I ſhall ſend to his Majeſty with it. I held it fit to put this Trouble upon your Lordſhip, knowing your Nearneſs to the King, and believing your Willingneſs to do a Courteſy to*

Letters from the Earls of Eſſex and Dorſet, relating to the Parliament's Petition to the King.

Your Lordſhip's

Affectionate humble Servant,

ESSEX.

The Earl of DORSET's ANSWER.

My Lord,

THE King's late Arrival here laſt Night is the Cauſe I could no ſooner return this Gentleman. According to your Lordſhip's Deſire, I have acquainted his Majeſty with the Petition *you are ordered to preſent to him from the Parliament. He hath commanded me to let your Lordſhip know, That the* Petition *of the Houſes ſhall never find his Ear ſhut againſt them;*

An. 18. Car. I. 1642. October. *them; and that thoſe whom you ſhall appoint to bring it (ſo they be none of thoſe he hath, by Name, accuſed of Treaſon) ſhall come and go very ſafely; ſo as they come hither To-day, and ſend a Trumpet before to acquaint the King with their Entrance. (o) I reſt*

Your Lordſhip's

Shrewſbury, Sept 28. 1642. Very affectionate Friend,

and humble Servant,

DORSET.

Next the Lord-General's Letter to the Committee of Safety was read *in hæc Verba:*

My Lords and Gentlemen,

HAving received from both Houſes of Parliament a Petition *to his Majeſty, I did ſend a* Letter *to the Earl of* Dorſet, *by Mr.* Fleetwood, *unto which I received* Anſwer *laſt Night: And becauſe the* Anſwer *concerns much the Parliament, I held it fit to ſend you Copies of both, and I deſire they may be preſented to both Houſes. Your Lordſhips will quickly ſee the Difficulties ariſing from this* Anſwer; *not only in the Ambiguity of the Phraſe,* He hath, by Name, accuſed of Treaſon, *which both Houſes are themſelves declared already, by his Majeſty's* Proclamations *and* Declarations, *ſet forth before my Coming from Parliament; but alſo the Uncertainty of what other* Proclamations *have been ſince made, and who therein have been perſonally named; and chiefly in this, That admitting this doubtful Phraſe to be intended ſtrictly, I cannot ſend ſuch who have been already accuſed by Name, without expoſing them to the uttermoſt Hazard; and to ſend others, who are not perſonally named, might, upon this Reſtriction, allow that Exception; and thereby deeply wound the Parliament, who never*

(o) Lord *Clarendon* informs us, That the Earl of *Eſſex*'s Letter was ſent by Mr *Fleetwood*, only a Trooper in his Guards, without a Trumpet, or any Ceremony. This Mr. *Fleetwood* afterwards raiſed himſelf to the Rank of a General, and was one of *Cromwell*'s Upper Houſe.

never admitted any ſuch Reſtriction. This cauſeth me to ſuſpend the ſending of the Petition, *and to make this Addreſs to the Committee. I am*

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Your Lordſhips humble Servant,

Worceſter, Sept. 29. 1642. ESSEX.

A Conference being held on the Contents of theſe Letters, both Houſes came to the following *Reſolutions:*

Reſolutions of both Houſes thereupon.

1. 'That it doth not ſtand with the Honour and Privilege of Parliament, that the *Petition* be delivered to the King under the Reſtrictions mentioned in the Earl of *Dorſet*'s Letter.'

2. 'That the Lord-General ſhall ſignify unto his Majeſty, by ſuch Means as he ſhall think fit, the *Reſolutions* of both Houſes of Parliament, concerning the Delivery of this *Petition.*' But this ſecond *Reſolution* was altered by the Lords, *viz.* 'That the Lord-General, by himſelf, or ſuch Hands as he ſhall think fit, ſhall, with all convenient Speed, deliver the *Petition* unto his Majeſty.'

3. 'That the Lord-General ſhall be deſired to proceed, according to his former Inſtructions, in ſuch Manner as, in his own Judgment, he ſhall think fitteſt and moſt advantageous to the Service.'

We have already mentioned the King's Removal from *York* to *Nottingham*, his erecting his *Standard* there, and his Progreſs from thence to *Shrewsbury*; as alſo the Earl of *Eſſex*'s March from *London* to *Worceſter*; ſo that at this Time the two Armies were drawn very near each other. We ſhall next caſt our Eyes towards the *North*, to ſee how Matters ſtood in that Part of the Kingdom.—When his Majeſty left *Yorkſhire*, he appointed the Earl of *Cumberland* General of the Forces raiſed by the *Commiſſion* of *Array:* And ſuch of the Gentry of that County who ſided with the Parliament, aſſociated themſelves under the Lord *Fairfax* as their Commander in Chief. This latter Affair being communicated to the Joint-Committee of Parliament, appointed to conſider of the Safety of the Kingdom,

Some of the Yorkſhire Gentry aſſociate themſelves, for the Parliament, under the Command of Lord Fairfax.

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dom, they ſent down the following *Ratification* of the Lord *Fairfax*'s Election to that Command. (*p*)

My Lord and Gentlemen,

A Letter from the Committee of Safety, in Approbation thereof.

WE have received Information that, at a late Meeting at Leeds, *divers worthy Gentlemen and others, well affected Inhabitants of* Yorkſhire, *have declared themſelves deſirous to preſerve the Peace of that County; and to ſecure his Majeſty's Subjects from thoſe violent Oppreſſions, executed upon their Perſons and Eſtates, by the Earl of* Cumberland, *the Lord* Savill, *and others, by Pretence of the* Commiſſion *of* Array, *and other* Commiſſions *againſt Law: And for that Purpoſe have thought upon a Noble Perſon of your County, the Lord* Fairfax, *to command in Chief over the Forces of that Shire; and that* John Hotham, *Eſq; lately conferred much Help and Furtherance to this Noble Reſolution, by coming out of* Hull *with ſome Forces, both Horſe and Foot: Hereupon we have received Direction from both Houſes of Parliament to ſignify unto you their Approbation, and to give all Encouragement and Aſſiſtance in theſe Proceedings, as conducing much to that great Work which the Parliament hath undertaken, to ſecure Religion, and the Liberty, and the Peace of the Kingdom, which are much endangered by the ill Counſel about his Majeſty, and the War now raiſed againſt the Parliament. In Performance whereof we have thought good, hereby, to deſire and authorize you to draw the Forces of that County together, under the Conduct of the Lord* Fairfax; *and to defend his Majeſty's Subjects, in their Perſons and Liberties, againſt the ſaid Earl of* Cumberland, *or any other that ſhall oppreſs the ſame, by Pretence of any* Commiſſion *whatſoever. And for your better Performance hereof, we intend to ſend down, very ſpeedily, ſome Forces of Horſe and Foot from hence, as likewiſe ſome experienced Officers with ample Inſtructions, in ſuch Manner as hath been given to other Parts*

(*p*) This *Ratification*, with the following *Letter* to Lord *Fairfax*, and the *Declaration* of Parliament thereupon, are copied from the Originals, yet remaining in the Hands of *Thomas Pulleyn*, of *Burley*, in *Yorkſhire*, Eſq; a Gentleman deſcended from a Branch of the *Fairfax* Family.

2*dly*, 'That it is very prejudicial and dangerous to 'the whole Kingdom, that one County ſhould with- 'draw themſelves from the Aſſiſtance of the reſt, to 'which they are bound by Law, and by ſeveral *Or- 'ders* and *Declarations* of Parliament. An. 18. Car. I. 1642. October.

3*dly*, 'That it is very derogatory to the Power and 'Authority of Parliament, that any private Men ſhould 'take upon them to ſuſpend the Execution of the *Or- 'dinance* of *Militia*, declared by both Houſes to be 'according to Law, and very neceſſary at this Time for 'the Preſervation of the Peace and Safety of the King- 'dom.

4*thly*, 'That many Things in that Agreement are 'very unequal, contrary to the Nature of a Neutrali- 'ty, (being much more advantageous to one Side than 'to the other) prejudicial to the public Defence of the 'Kingdom, undertaken by the Parliament, and would 'be a great Impediment to that good Agreement be- 'twixt his Majeſty and his Subjects; which both 'Houſes do ſo earneſtly deſire and endeavour.

'For theſe and other Reaſons, we hold ourſelves 'bound in Conſcience, in Performance of the ſeveral '*Proteſtations* that we have made, to hinder all further 'Proceedings upon that Agreement; and therefore it is '*ordered* by both Houſes of Parliament, that no ſuch 'Neutrality be obſerved in that County, which will 'advantage the Forces raiſed againſt the Parliament, 'and no way benefit *Yorkſhire*; but rather be moſt dan- 'gerous to them by keeping that County without any 'defenſive Force, whereby it will be open to the King to 'bring back his Army at his Pleaſure, and to make that 'his Winter Quarters; to which the Plenty of that 'County and Nearneſs of *Newcaſtle* for Supplies by Sea, 'are like to invite him; whereby it will become the Seat 'of the War: And if this ſhould not fall out, yet if the 'reſt of the Kingdom be ſuppreſſed, what Hope can '*Yorkſhire* have but to be involved in the Public Miſery? 'And therefore, in Wiſdom for themſelves, and Juſtice 'to the State, they ought not to withdraw themſelves 'from the Common Cauſe; but to join with the Parlia- 'ment, in Defence of the Religion and Liberty of 'the whole Kingdom; and, with them, to labour by 'all good Means to procure a general Peace, and Pro-

'tection

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'tection from the King for all his Subjects; which both 'the Houſes of Parliament have, by many humble *Petitions*, deſir'd of his Majeſty, but cannot yet obtain: 'And if they ſhould ſuffer any particular Counties to di-'vide themſelves from the reſt of the Kingdom, it will 'be a Means of bringing all to Ruin and Deſtruction. 'Wherefore it is further *declared*, That neither the 'Lord *Fairfax*, nor the Gentry of *Yorkſhire*, who are 'Parties to thoſe Articles, nor any other Inhabitants of 'that County, are bound by any ſuch Agreement; but 'they are required to purſue their former Reſolutions, of 'Maintaining and Aſſiſting the Parliament in Defence 'of the Common Cauſe, according to their *General Pro-'teſtation*, wherein they are bound with the reſt of the 'Kingdom, and to the *Particular Proteſtation* by them-'ſelves lately made; and according to ſuch *Orders* and '*Commiſſions* as they ſhall receive from both Houſes of 'Parliament, from the Committee of Lords and Com-'mons appointed for the Safety of the Kingdom, or 'from the Earl of *Eſſex* Lord General.'

Jo. Brown *Clericus Parliamentor.*

Advice of the King's coming to London with his Army.

Both Houſes ſeem now extremely buſy, for ſeveral Days, in iſſuing out *Orders* for Payments of Money, on different Affairs, but all towards carrying on the War; with other Matters of leſs Concernment, ſuch as ſending for Delinquents, and impriſoning them: But no public or private Bills, or even a private Cauſe, are ſo much as mentioned in either *Journal*; Proviſion for their own Safety being now their principal Buſineſs, as appears by the *Journals* of the 12th of this Month; where we are told, That, at a Conference held that Day, the Lords were informed that the Committee of Safety had, the Night before, received Letters of the King's Intentions to leave *Shrewſbury*, and march with his Army directly towards *London*. On this Intelligence the Commons deſired, leſt the People ſhould be frightned and taken unawares, that the aforeſaid Committee might draw up a *Declaration*, to be publiſhed through all the neighbouring Counties, for the Train'd Bands and all the Forces, in and about *London*, to be put into a Poſture of Defence, and be placed under ſuch Officers as that they may be ready

ready at an Hour's Warning. Two Days after a yet greater Precaution againſt a Surprize was taken: For

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October 14, it was *ordered*, That Guard-Houſes, with Poſts, Bars and Chains, be forthwith erected and ſet up, in ſuch Places and By-lanes, in the Pariſhes of St. *Margaret's*, *Weſtminſter*, St. *Martin's in the Fields*, in the Confines of *Weſtminſter*; St. *Clement's*, *Danes*; St. *Mary*, *Savoy*; St *Andrew's*, *Holborn*; St. *Giles in the Fields*; *Covent-Garden*, St. *John's-Street*; St. *James* at *Clerkenwell*; St. *Giles Cripplegate*; *Shoreditch*, *White-Chapel*, *Iſlington*, *Mile-End*, *Southwark*, *and Lambeth*, as ſhould be thought neceſſary and convenient for the Defence and Safety of *London* and *Weſtminſter*: And that the Train'd Bands and Volunteers of the ſaid Pariſhes ſhould be under Arms, and keep Watch Day and Night; that they ſhould ſeize and arreſt all ſuſpicious Perſons, Arms, or Ammunition, paſſing or repaſſing thro' the ſaid Places, and them keep till the Pleaſure of the Parliament was known. However, in the Midſt of theſe Fears and Confuſions, the Houſe of Commons had Time to think of Religious Matters; for,

The Parliament's Orders for Defence of the City.

October 15. A Bill was ſent up to the Lords, which had paſſed the other Houſe, intitled, *An Act for calling an Aſſembly of godly and learned Divines, to be conſulted with by the Parliament, for ſettling the Government and Liturgy of the Church of* England, *and for vindicating and clearing the Doctrine thereof from falſe Aſperſions and Interpretations.* The Commons deſired the Lords to give Expedition to this Bill, becauſe it was to commence on the fifth of *February* next; and it was read a firſt Time this Day.

Bill for calling an Aſſembly of Divines.

Next Day a Conference was held between the two Houſes, in which the Commons delivered the following *Reſolutions* for their Lordſhips Concurrence; which was granted.

Re-

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Reſolved, 'That ſuch Perſons as ſhall not contribute to the Charge of the Common-wealth, in this Time of imminent Danger, ſhall be held fit to be diſarmed and ſecured.'

Reſolutions as to Contributions to the Parliament-Loan, Biſhop's Rents, and the King's Revenue.

Reſolved, 'That the Fines, Rents and Profits, of Archbiſhops, Biſhops, Deans, Deans and Chapters, and of ſuch notorious Delinquents as have taken up Arms againſt the Parliament, or have been active in the *Commiſſion* of *Array*, ſhall be ſequeſtered for the Uſe and Service of the Common-wealth.'

Reſolved, 'That the King's Revenue, ariſing out of Rents, and Fines in Courts of Juſtice, Compoſitions for Wards, and the like, and all other his Majeſty's Revenues, ſhall be brought into the ſeveral Courts and other Places where they ought to be paid in; and not iſſued forth nor paſſed out, without *Orders* from both Houſes of Parliament.'

In Conſequence of the firſt of theſe *Reſolutions* many Perſons, who refuſed to lend Money, were ſent for by the Commons as Delinquents; of whom we ſhall mention one only as an Inſtance: Mr. *Fountayne*, a Barriſter at Law, being aſked by the Speaker, Whether he would contribute any Thing in this Time of common Danger; ſaid, He did humbly deſire that he may not be compelled to give any Anſwer. But being preſſed to give his Reaſons for refuſing to make any Anſwer, he replied, Becauſe he conceived it to be againſt the *Petition of Right*. Hereupon the Commons *reſolved*, That he be committed Priſoner to the *Gatehouſe*, there to remain during the Pleaſure of that Houſe for his Contempt; and that his Arms be ſeized and taken from him by the Sheriffs of *London*. However, a few Days after, upon Mr. *Fountayne's* humble Petition, the Commons gave him Leave to go, with the Keeper of the *Gatehouſe*, to bury his Wife; but this Liberty not to exceed four Days. A Committee was, alſo, appointed to prepare a *Declaration* to ſet forth, That this Demanding of Contribution upon the *Propoſitions*, is according to Law; and to ſet a Mark of Malignity and Diſaffection upon ſuch as

ſhall

ſhall refuſe to contribute, in this Time of common Danger. An. 18. Car. I. 1642.

Next was read a *Declaration*, ordering all Train'd Bands to be in a Readineſs; which, ſince the Style of it exceeds all the Accuſations that have been hitherto laid againſt the King and his Party, and is omitted in *Ruſhworth*, we ſhall inſert: Obſerving, that this *Declaration* was alſo agreed to by the Lords, without any Amendments, and ordered to be printed and publiſhed. October.

The Parliament's Order for aſſembling the Trained Bands.

'THE Lords and Commons in Parliament, conſidering, with much Tenderneſs and Compaſſion, the miſerable Condition of this King'dom, diſtracted and diſtempered with many preſent Evils and imminent Dangers, and brought now to ſuch Height of Extremity of Miſery, that two *Engliſh* Armies are near together, even ready to join in a dreadful and bloody Encounter, thro' the violent and wicked Counſel of thoſe who have captivated both the Perſon and the Power of the King to their own impious and traiterous Deſigns, do thereupon think good to publiſh and declare the ſame to the Kingdom; together with ſome Directions and Proviſions which may prevent the utter Deſolation and Ruin both of Religion and Liberty, already overwhelmed and ſuppreſſed in the Intention and Hope of thoſe Rebels and Traitors about the King; to which Purpoſe it is deſired by both Houſes, that all well-affected Subjects may take Notice of theſe Particulars, that the King, by the Help and Aſſiſtance of the *Papiſts*, the Prelatical and corrupt Part of the Clergy, the delinquent Nobility and Gentry, and by the Confluence of ſome notable Traitors from beyond the Seas, the Lord *Digby*, *O'Neale* and others, and of many deſperate, mercenary, and ill-affected Perſons from all Parts of the Kingdom, hath raiſed an Army, armed, cloathed, and fed, for the moſt Part, with the Spoils of his Subjects; giving them Leave to plunder and rob all Sorts of

'People

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'People, and to exact Money and Plate from Corporations, by threatening Fire and Sword if they 'ſhould refuſe it.

'That this wicked Counſel doth not only hinder his Majeſty from exerciſing the Juſtice and 'Protection of a King towards his People, but 'even that Honour which is obſerved betwixt Enemies; for, by a confident Inſtrument of his Majeſty, Sir *John Henderſon*, a *Papiſt*, as we are credibly informed, one *David Alexander* was urged to 'kill Sir *John Hotham*, telling him it would be a 'good Service both to God and the King; which 'he refuſed to do, ſaying, *It was the Work of a 'Butcher, and not of a Soldier.* This *Alexander* being a *Scotſman* of a very poor Fortune, and of a 'Mind fit for deſperate Attempts, the King ſent 'for him twice while he was at *Beverley*; and 'when he came to his Preſence he ſpake to him 'publickly in the Field, and appointed a Sum of 'Money to be given him, which he received.

'After which another Propoſition was made to 'him by the ſaid Sir *John Henderſon*, that he would 'put Fire to the Magazine of the Army raiſed by 'the Parliament; and to gain the better Opportunity to effect it, that he ſhould labour to get ſome 'Employment in the Train of Artillery, which he 'undertook, and endeavoured to obtain; but before 'he could effect his miſchievous Intention, he was 'diſcovered, apprehended, and examined, and 'thereupon confeſſed the Practice and Undertaking; 'the Particulars thereof are referred to the Examinations thereupon taken. That the King doth 'ſend out Letters to borrow great Sums, profeſſing, 'That thoſe who will not lend him Money do 'give him juſt Cauſe to ſuſpect their Duty to his 'Perſon and the Peace of the Kingdom: And this 'will be a ſufficient Reaſon to make them liable to 'be plundered and ſpoiled of all they have; but 'ſuch is the Violence of the King's Army, that 'their Friends are in little better Caſe than they 'who oppoſe them; and thoſe who eſcape beſt 'muſt yet feed and billet the Soldiers for nothing.

'In

'In thoſe Places where the Trained Bands are 'willing to go forth to ſerve in his Majeſty's Army, 'yet, for the moſt Part, their Arms are taken from 'them, and put upon thoſe who are more mercenary and leſs intereſted in the Common-Wealth, 'and ſo likely to be fitter Inſtruments of Rapine 'and Spoil. An. 18. Car. I. 1642. October.

'By theſe great Violences and Oppreſſions they 'have ſo exhauſted thoſe Parts, that his Majeſty 'cannot ſtay long about *Shrewſbury*; and it is the 'earneſt Deſire of the Cavaliers, that he would 'march forward towards *London*, thoſe rich and 'fruitful Counties in the Way being like to yield 'them a Supply of their Neceſſities, and the Wealth 'of *London* a full Satisfaction of their Hopes; where 'they likewiſe think to find a Party, which, upon 'his Majeſty's Approach, may make ſome Diſturbance, and facilitate their Deſigns upon the City.

'That if the King's Army prevail, the good 'Subjects can expect nothing but that their Lives 'and Fortunes will be expoſed to the Malice and 'Rapine of thoſe ravenous Soldiers, who often talk 'of cutting the Throats of honeſt and religious 'Men, and have long expected their Goods and 'Eſtates, as the Rewards of their Service; the 'Kingdom will again fall under the Government 'of thoſe miſchievous Counſels, who, before this 'Parliament, had even brought both Religion and 'Liberty to Ruin; and we ſhall have no Hope left 'of any more Parliaments, but ſuch as ſhall be 'concurrent and ſubſervient to theſe Ends.

'The Means of curing and preventing theſe 'Evils and Dangers we conceive to be theſe:

'That good Proviſion be made, by Loan and 'Contribution, for the Army raiſed by the Parliament under the Lord-General the Earl of *Eſſex*, 'which is no whit inferior in Horſe and Foot to 'the King's Army, better armed, full paid, reſtrained from Diſorder and Rapine as much as 'may be; well provided of all outward Neceſſaries, 'but above all, well encouraged and inſtructed in

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'the Goodneſs of the Cauſe, by the Labour of 'many godly and painful Divines.

'That this Army be ready always to attend the 'Removes of the King's Army, either in one Body 'or divided, as there ſhall be Occaſion, according 'to the wiſe Conduct and Direction of the Lord-'General; that ſo no Opportunity of fighting upon 'Advantage be loſt, nor the greedy Soldiers of the 'King's Army ſuffered to range and ſpoil the Coun-'try at their Pleaſure.

'That the Counties through which the King's 'Army is to paſs, do aſſociate themſelves, and draw 'all their Forces together, for the mutual Defence 'of their Perſons and Goods from Oppreſſion and 'Spoil.

'That thoſe Counties be required to ſend in all 'their Horſes fit for Carriages and Dragoons, as 'well for the Aſſiſtance of the Lord-General; (for 'which, in convenient Time, they ſhall receive 'Satisfaction) as likewiſe that by ſuch Means thoſe 'Horſes may be kept from being employed by the 'King's Army.

'That Command and Direction be given to all 'Lieutenants of Counties and Deputy-Lieutenants, 'that all the Trained Bands and all Volunteers be 'put into Readineſs to be brought to ſuch Rendez-'vous, and to be obedient to ſuch Commanders in 'Chief, as ſhall be appointed by the Committee for 'the Safety of the Kingdom, or by the Lord-Ge-'neral; that ſo the King's Army may find Oppo-'ſition in every Place as they paſs, and the Inhabi-'tants may have at hand a ſufficient Protection and 'Defence; and the Lord-General may ſtrengthen 'his own Army with theſe Forces, as he ſhall ſee 'Cauſe.

'That Powder, Munition, and Ordnance, with 'all other Neceſſaries, be prepared for theſe Forces; 'that ſo, without any Trouble or Confuſion, they 'may be brought together, and fitted for Service 'upon all ſudden Occurrences.

'That all thoſe who, in the City of *London* or 'any other Place, ſhall wear any Colours or other

'Marks

'Marks of Diviſion, whereby they may be diſtin- An. 18. Car. I. 1642.
'guiſh'd from others, and known to be of the Ma- October.
'lignant Party, ſhall be examined, ſearched, and
'diſarmed; as likewiſe all others who, being able,
'ſhall not lend or contribute towards the Public
'Safety of the Kingdom in this Time of ſo great
'and imminent Danger.

'That it be commended to the ſerious Conſide-
'ration of thoſe in the King's Army, and of all
'others that intend to aſſiſt and ſuccour his Ma-
'jeſty in this impious and unnatural War, (amongſt
'whom it may be hoped there are ſome honeſt Men
'and Proteſtants) what it is that moves them in
'this Quarrel.

'Is it for Fear of ſome Innovations and Altera-
'tions of Religion, or Church-Government? Let
'ſuch as are poſſeſt with this vain and cauſeleſs Ap-
'prehenſion know, that nothing is intended or de-
'ſired, but to take away the Government by Bi-
'ſhops, which hath been ſo conſtantly and evidently
'miſchievous to the Church and State; with ſuch
'other Things as ſhall be found to be juſtly offen-
'ſive; and nothing to be ſettled and introduced
'but by Authority of Parliament, after Conſulta-
'tion firſt had with an Aſſembly of learned and re-
'verend Divines.

'Is it to uphold the Authority, Prerogative, and
'Honour of the King, and to preſerve the Safety of
'his Royal Perſon? Surely the Parliament is, and
'ever hath been, ready to do any Thing that be-
'longs to them to ſecure all theſe; which they
'have often teſtified by many humble *Petitions* to
'his Majeſty.

'If there be no Cauſe, for any of theſe Reſpects,
'to ſeek the Deſtruction of the Parliament, and
'the Blood and Ruin of their Kindred, Friends,
'and Acquaintance; what remains then to be the
'Matter of the Quarrel, the Motives of ſuch great
'Combuſtions, and the Effects and Conſequences
'of their Victory if they ſhould prevail? That
'Prieſts, Jeſuits, and the Pope's Nuncios, may do-
'mineer and govern in the King's Counſel, as here-

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'tofore; that the Archbiſhops of *Canterbury* and '*York*, and their Suffragans, may ſuppreſs diligent 'and powerful Preaching, baniſh and oppreſs all 'the moſt pious and beſt affected Subjects of the 'Kingdom, and introduce the Popiſh Religion, un-'der Proteſtant Profeſſion; till they have Strength 'and Boldneſs to caſt off the Diſguiſe, and openly 'appear that which indeed they are, and would 'not ſeem to be.

'That the Earl of *Briſtol*, and his Son the Lord '*Digby*, Mr. *Jermyn*, and other ſuch Traitors, 'may poſſeſs the great Places and Government of 'this Kingdom; and be the Arbiters of the Affairs 'of State, and Diſtributers of Preferments and 'Diſgraces to ſuch who ſhall further or oppoſe their 'Deſigns.

'That the Delinquents, Oppreſſors, and De-'ſtroyers of the Kingdom, may not only eſcape 'the Juſtice of the Parliament, but triumph in the 'Spoils of all honeſt Men and good Patriots; that, 'through our Troubles and Diviſions, the Rebels 'in *Ireland* may prevail; that we may ceaſe to be 'a free Nation; and become the Object of Cruelty 'and Oppreſſion at home, and of Scorn and Infa-'my abroad.

'And if there can be no other Fruit of their Ha-'zard and Endeavours on that Side, let them then 'conſider whether, by adhering to the Parliament, 'they may not expect Effects more ſuitable to the 'Deſires of honeſt Men; the Glory of God, in the 'Preſervation of his Truth; the Peace of the 'Church, by ſecuring it againſt the Pride, Avarice, 'and Ambition of the Clergy; the Honour, Great-'neſs, and Security of the King, by freeing him 'from falſe and Traiterous Counſels, and eſtabliſh-'ing him in the Hearts and Affections of his People; 'the Proſperity of the whole Kingdom, by the 'Bleſſing of good Laws and a righteous Govern-'ment.'

October 17. Alderman *Pennington* being choſen Lord Mayor of *London*, upon the Removal of Sir *Richard*

Richard Gurney, he was ordered, on account of the Lord Keeper's Abſence, to appear before the Lords in Parliament for their Approbation, before he was ſworn at the Bar of the *Exchequer*. The Lords paſſed great Complements on the new Lord Mayor, for his experienced Duty and Loyalty to the King and Kingdom, and were well pleaſed the City had made ſuch a Choice. An. 18. Car. I. 1642. October.

Inſtructions were now, again, ſent into moſt of the Counties of the Kingdom, to their Deputy-Lieutenants, *&c.* to be very ſtrict in collecting Subſcriptions of Money, Plate, and Horſes for the Parliament's Service: Likewiſe for Loans; in which an Abſtract of thoſe ſent into *Devonſhire* may ſerve as a Specimen for all the reſt. Their Inſtructions to the Deputy-Lieutenants, for collecting Subſcriptions of Money, Plate, &c.

'They had Power given them by both Houſes, to convene each particular Perſon of Ability before them, and to demand what every Man would lend, either by the Week, Month, or in groſs, for the Defence of the Kingdom.

'To declare, That thoſe who would not contribute to this neceſſary Service, did, as much as in them lay, betray their Religion, Liberty, and Property; and were themſelves dead Members, having no Feeling of the Calamities of the Kingdom; and therefore they ſhould not be protected by the Horſe and Arms raiſed in that County: And that thoſe who ſhall be moſt notoriouſly refractory, ſhall be ſeiz'd on by the Dragoons, and ſent up to the Parliament to give an Account why they refuſe: And

'To declare, That the Parliament will take it as a Mockery and Indignity offered to them, if they do not perform their Subſcription of Money or Plate, according to their Agreement: And that thoſe who do not make ſuch an Excuſe for it, as the Major Part of the Commiſſioners ſhall judge reaſonable, ſhall be ſent to Parliament to anſwer this groſs Abuſe and Breach of Promiſe, *&c.*'

October 18. The Lord *Coventry*, who had revolted from the King to the Parliament, ſent a ſubmiſ- Lord Coventry leaves the King.

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five Letter to the Lords by the Earl of *Northumberland*, and offered 2000 *l.* in Money for carrying on the Cauſe in Hand: Alledging, That though he had ſubſcribed, at *York*, to furniſh the King with Horſes, *&c.* he did it only for one Month, and would not contribute or meddle, in any Thing of that Nature, hereafter: Deſiring to be protected, in Perſon and Eſtate, and have his Goods in *Worceſterſhire* reſtored to him. All which the Lords readily accepted of and promiſed him.

The Parliament endeavour to keep a good Underſtanding with the Scots.

October 19. Many miſcellaneous *Orders*, *&c.* were now made by both Houſes, on different Matters; but nothing of Moment, unleſs we mention the Care the Parliament took to keep well with their Brethren in *Scotland* at this critical Time, 40,000 *l.* Part of the *Brotherly Aſſiſtance* Money, being ordered to be paid immediately. And the *Scots* having declared their Readineſs to join in the intended Reformation of the Church, and the Freeing of it from the Uſurpation of Prelates and their Faction, *&c.* the *Engliſh* Parliament ſent to acquaint them, That a Bill for this Purpoſe had paſſed both Houſes, and was ready to be diſpatched to his Majeſty for his Royal Aſſent. They therefore deſired them to nominate ſome learned and pious Divines of their Church, to aſſiſt in the intended Aſſembly, which was to begin on the fifth of *November* next; and four were, ſoon after, ſent up to *Weſtminſter* for that Purpoſe.

October 20. A Conference was held, in which were exhibited ſome *Letters* from the Earl of *Eſſex*, dated from *Worceſter*, ſent to the Committee of Safety; and, firſt, one from himſelf.

My Lords and Gentlemen,

More Letters from the Earl of Eſſex, &c. concerning the laſt Petition to the King;

IN Obedience to your Commands, I ſent Mr. Lionel Copley, *with a* Letter *and three* Votes *of both Houſes, with a Deſire of a Safe Conduct to ſuch as ſhould be ſent with the* Petition *to his Majeſty; my Lord* Dorſet's Anſwer *I have ſent your Lordſhips, who*

can

can better tell how to conſider of it than I your Ser- An. 18. Car. I. 1642.
vant.

My Lords, this Anſwer *did not take me unpro-* October.
vided; for, ſince the firſt Anſwer *I ſent up to the Parliament, I expected no better. And for my Head, which is ſo much ſought after, if God pleaſe, I intend to ſell it at ſuch a Rate that the Buyers ſhall be no great Purchaſers.*

My Lords and Gentlemen, I ſhall not, in this Letter, preſume further upon your Patience, acknowledging the great Affairs you have; only this, aſſuring you, That I ſhall neither ſpare any Hazard or Pains to declare myſelf to be

Your Lordſhips
Humble Servant,
ESSEX.

Worceſter, Oct. 18, 1642.

Next the Letter from the Earl of *Dorſet*, in anſwer to that from the Lord-General, was read:

My Lord,

I Have received your Letter *of the 15th preſent, and, in it, the* Votes *of both Houſes of Parliament of the third; and have Direction from his Majeſty to return you this* Anſwer: *That, if Juſtice had been done, the Gentleman that brought it could not expect his Liberty. And for the Addreſs of the* Petition *of both Houſes, as his Majeſty, by my former* Letter, *declared his Reſolution, That he would not receive any by the Hands of ſuch as he had, by Name, proclaimed Traitors; ſo now his Majeſty, having declared you the Principal in that Number, will not receive any by your Addreſs: But, as his Majeſty then declared by me, his Ear ſhall ſtill be open to hear any fitting Addreſs from either or both Houſes of Parliament, in ſuch Manner as his Majeſty hath declared. This being all I have in Charge from his Majeſty to ſignify unto you, I remain*

Your Servant,
DORSET.

Woolverhampton, Oct. 16, 1642.

Then

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Then followed a Letter from the Committee of both Houſes in their Army, to the Committee of Safety at *Weſtminſter*, in theſe Words:

My Lords and Gentlemen,

IN Obedience to the Commands of the Houſes, the Lord-General diſpatched Mr. Copley, *Commiſſary-General of the Muſters, to deſire a ſafe Convoy of all ſuch as his Excellency ſhould ſend with the* Petition *of both Houſes to his Majeſty; and, Yeſterday Morning, Mr.* Copley *returned with the foregoing* Anſwer, *by which your Lordſhips may perceive that his Majeſty abſolutely refuſes to receive any* Petition *by any Addreſs of the Lord-General, as one who is there expreſſed to be the Principal of the Number of thoſe whom the King hath proclaimed Traitors. This we humbly conceive to be an high Indignity and Scorn caſt upon the Authority of Parliament, in the Perſon of his Excellency unto whom they have committed the Care and Government of their Army, in which their Religion and Safety is ſo much concerned; and a final and utter Rejection of the ſubmiſs, dutiful, and earneſt Deſires of Peace, ſo often laid at his Feet, with the Cries and Groans of his loyal and loving Subjects.*

My Lords, we could not chuſe but expreſs this our Senſe of it; the further Conſideration whereof we leave unto your Wiſdoms; and reſt

Your Lordſhips Friends and Servants,

BEDFORD,
MANDEVILLE (*p*), D. HOLLES,
BROOKE, P. STAPYLTON,
WILLOUGHBY, AR. GOODWYN.

Worceſter, Oct. 18, 1642.

Which are ordered to be communicated to the City of London.

After the Reading of theſe Letters, the Lords thought it fit that this Denial of the King's to receive the *Petition* from the Lord-General, as likewiſe the Danger this Kingdom and the City of *Lon-*

(*p*) So ſtyled as Heir Apparent to the Earl of *Manchester*. In the foregoing Part of this Work he is called Lord *Kimbolton*, being ſummon'd to the Houſe of Lords by his Father's Barony of that Name.

London is in by the advancing of the King's Army, with other Particulars in the laſt Conference, ſhould be communicated to the Citizens, that they might be provided, and more readily come into an Aſſociation for their Defence; which both Houſes had ordered to be drawn up for that Purpoſe. The Lord Mayor was accordingly ordered to call a Common-Hall, and a Committee of Lords and Commons appointed to deliver this to them. An. 18. Car. I. 1642. October.

October 21. An *Ordinance* of Parliament was this Day read and agreed to, importing, That the Houſes being credibly informed of the King's Approach to this City with his Army; and, by former *Declarations*, giving great Cauſe to expect their Intentions are to deſtroy both Parliament and City: They believe it therefore neceſſary, for their preſent Safety and Defence, that all the Stables of the City of *London*, and Suburbs, ſhould be forthwith ſearched, and the Number of Horſes in them, fit to be liſted, taken; declaring and promiſing, upon the Public Faith, to ſatisfy and pay for ſuch as ſhall miſcarry in the Uſe of them; and the reſt to be returned to the Owners of them, when this Action ſhall be paſſed and the Danger over. This *Order* to be ſent to the Committee of the *Militia* in *London* and *Weſtminſter*, and the Lord-Lieutenants and Deputy-Lieutenants of *Middleſex* and the neighbouring Counties. An Ordinance for ſecuring all the Horſes therein.

October 22. Next follows the Earl of *Warwick*'s Commiſſion, who had been recalled from the Fleet, conſtituting him Captain-General of all the Forces raiſed, or to be raiſed, in or about *London*, without any Derogation to the Commiſſion already given by Parliament to the Earl of *Eſſex*.

Then a *Declaration* of both Houſes, which had been drawn up by the Committee of Safety, was read, agreed to, and ordered to be printed, which bore this Title, and was to the Effect following:

A

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A PROTESTATION *and* DECLARATION *of the* LORDS *and* COMMONS *in Parliament, to this Kingdom, and to the whole World,* Oct. 22, 1642.

The Parliament's Proteſtation to the whole World, in Vindication of their Proceedings.

'WE the Lords and Commons in this preſent Parliament aſſembled, do, in the Preſence of Almighty God, for the Satisfaction of our Conſciences, and the Diſcharge of that great Truſt which lies upon us, make this *Proteſtation* and *Declaration* to this Kingdom and Nation, and to the whole World, *That no private Paſſion or Reſpect, no evil Intention to his Majeſty's Perſon, no Deſign to the Prejudice of his juſt Honour and Authority, engaged us to raiſe Forces, and take up Arms againſt the Authors of this War, wherewith the Kingdom is now enflamed.*

'And we have always deſired from our Hearts and Souls, manifeſted in our Actions and Proceedings, and in ſeveral humble *Petitions* and *Remonſtrances* to his Majeſty, profeſſed our Loyalty and Obedience to his Crown, Readineſs and Reſolution to defend his Perſon, and ſupport his Eſtate, with our Lives and Fortunes to the Uttermoſt of our Power.

'That we have been willing to paſs by not only thoſe Injuries, Ignominies, Slanders, and falſe Accuſations, wherewith we have been privately oppreſſed and grieved; but likewiſe many public Incroachments, and high Uſurpations, to the Prejudice of Religion and Liberty; divers bloody, traiterous and cruel Practiſes and Deſigns, for the utter Ruin of the Church and State; ſo as we might, for the Time to come, have been ſecured from that wicked and malignant Party, thoſe pernicious and traiterous Counſels, who have been the Authors and Fomenters of the former Miſchiefs and preſent Calamities, which have and ſtill do diſtemper this Church and State.

'That for the ſame Purpoſe, and for the avoiding of Blood, we directed the Earl of *Eſſex* Lord-General, by himſelf or others, in ſome ſafe and honour-

'honourable Way, to cauſe to be delivered an 'humble *Petition*, wherein we did deſire nothing 'from his Majeſty, but that he would return in 'Peace to his Parliament; and, by their faithful 'Counſel and Advice, compoſe the Diſtempers and 'Confuſions abounding in his Kingdoms, as he is 'bound to do; we therein profeſs'd, in the Sight 'of Almighty God, which is the ſtrongeſt Obli-'gation that any Chriſtian, and the moſt ſolemn 'Public Faith which any ſuch State as a Parliament 'can give, That we would receive him with all 'Honour, yeild him all true Obedience and Sub-'jection, and faithfully endeavour to defend his 'Perſon and Eſtate from all Danger; and, to the 'uttermoſt of our Power, to eſtabliſh him and his 'People in all the Bleſſings of a glorious and happy 'Reign, as it is more largely expreſs'd in that *Peti-'tion.*

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'For the Delivery of which *Petition*, his Ex-'cellency hath twice ſent unto the King, humbly 'deſiring a ſafe Conduct for thoſe who ſhould be 'employed therein: But his Majeſty refuſed to give 'any ſuch ſafe Conduct, or to receive this humble 'and dutiful *Petition* by any Addreſs from the 'Earl of *Eſſex*; ſaying, *That if Juſtice had been 'done, the Gentleman which brought the ſecond* Meſ-'ſage *could not expect his Liberty.*

'By all which, and many other Evidences and 'Inducements, we are fully convinced in our Judg-'ments and Belief, That the King's Counſels and 'Reſolutions are ſo engaged to the *Popiſh* Party, for 'the Suppreſſion and Extirpation of the true Re-'ligion, that all Hopes of Peace and Protection are 'excluded; and that it is fully intended to give 'Satisfaction to the *Papiſts*, by Alteration of Reli-'gion; and to the *Cavaliers* and other Soldiers, by 'expoſing the Wealth of the good Subjects, eſpecial-'ly of this City of *London*, to be ſack'd, plundered, 'and ſpoiled by them.

'That for the better effecting hereof, great 'Numbers of *Papiſts* have, in Shew, conformed 'them-

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'themſelves to the *Proteſtant* Religion, by coming 'to the Church, receiving the Sacrament, and 'taking the Oaths of Allegiance and Supremacy; 'which ſome of their own Prieſts have encouraged 'them to do, by maintaining, *That they might do 'all thoſe Things, and yet continue good Catholicks:* 'Under which Cover his Majeſty did, at firſt, be-'gin to ſtrengthen himſelf (thoſe of that Religion 'being weak, and unable to endure the Envy and 'Diſcontent which the Arming of *Papiſts* would 'procure in the Kingdom); and therefore endea-'voured to keep off all Jealouſies and Suſpicions, by 'many fearful *Oaths* and *Imprecations*, concerning 'his Purpoſe of Maintaining the *Proteſtant* Religion 'and the Laws of the Kingdom; cauſing ſome *pro-'feſs'd Papiſts* to be diſcharged out of his Army; 'and none to be received that would not endure the 'Teſt of coming to Church, receiving the Sacra-'ment, and taking the Oaths of Allegiance.

'That his Majeſty being now grown ſtronger, 'and able, as he conceives, to make good his own 'Ends by Arms, his Confidence in the Prieſts doth 'more clearly appear: Perſons impriſoned for *Prieſts* 'and *Jeſuits* have been releaſed out of the Jail of '*Lancaſter*; *profeſſed Papiſts* have been invited to 'riſe and take up Arms; Commiſſions, under his 'Majeſty's Authority, have been granted to many 'of them for Places of Command in this War, 'with Power to raiſe Men; and great Numbers 'have been raiſed by them, and they daily increaſe; 'as namely, to Sir *Nicholas Thornton*, Sir *Thomas 'Howard*, Bart. Sir *Edward Widdrington*, Sir *Wil-'liam Kiddell*, Mr. *Smith* of *Aſh*, Mr. *Gray* of '*Morpeth-Caſtle*, Mr. *Errington* of *Denington*, Mr. '*Holtby*, all of *Northumberland*, Biſhoprick of *Dur-'ham*, and *Newcaſtle*; to Mr. *Clifton*, Mr. *Walter*, 'Sir *William Gerrard*, Bart. Sir *Cecil Trafford*, and 'Mr. *Anderſon* of *Loſtocke*, in the County of *Lan-'caſter*; divers Forces are raiſed, and paid by the 'Earl of *Worceſter*; his Son, the Lord *Herbert*, a 'notorious *Papiſt*, is made General of all *South-Wales:*

'*Wales*: And we are further informed out of *York-* An. 18. Car. I.
'*ſhire*, by divers Perſons of great Worth and Qua- 1642.
'lity, That thoſe that raiſe Forces in thoſe Parts October.
'for his Majeſty, do arm and employ *Papiſts*, and
'uſe their Advice in their Conſultations; all which
'is contrary to the ſolemn *Oaths*, *Proteſtations*,
'and *Execrations*, whereby his Majeſty bound him-
'ſelf to maintain the *Proteſtant* Religion, and the
'Laws of the Land; by which he endeavoured to
'get a Confidence in the People of his good In-
'tentions; which, how well it is anſwered, we
'leave to the World to judge.

'That Sir *John Henderſon* and Col. *Cochran*,
'Men of ill Report both for Religion and Honeſty,
'are ſent to *Hamburgh* and *Denmark*, we are cre-
'dibly informed, to raiſe Forces there, and to bring
'them to *Newcaſtle*; to join them with the Earl of
'*Newcaſtle* and the Army of *Papiſts* which they
'intend to raiſe there; and that divers Endeavours
'have been uſed, in other foreign Parts, to bring
'ſtrange Forces into the Kingdom.

'That the King hath received about him divers
'*Papiſts* of *Ireland*, ſome of which are indicted of
'High Treaſon for their Rebellion there, notori-
'ouſly known to have been in actual Rebellion; as
'namely, the Lord *Taaffe*, Sir *John Oungane*, Col.
'*Fitz-Williams*, proclaimed Rebels; Dr. *Meara*,
'indicted for the Rebellion in *Ireland*, and fled for
'the ſame, and yet appointed Phyſician to Prince
'*Rupert*.

'That his Majeſty hath ſent for the *Petition* of
'the *Iriſh* Rebels, which the Juſtices had ſtopped,
'with evident Expreſſion of Favour to them;
'whereby that Kingdom is like to become an unfit
'Habitation of any *Proteſtants*, and a Seminary of
'War and Treaſon againſt this Kingdom.

'That divers *Engliſh* Traitors, Actors in the
'former Deſigns againſt the Kingdom and Parlia-
'ment, are the chief Counſellors and Actors in this
'unnatural War againſt his Subjects, as the Lord
'*Digby*, *O'Neal*, *Wilmot*, *Pollard*, *Aſhburnham*, and
'others.

'That

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'That we have been likewiſe credibly informed, 'That divers *Jeſuits* and *Prieſts*, in foreign Parts, 'make great Collections of Money, for Relief of 'the *Papiſts* in *Ireland*, and the furthering of his 'Majeſty's Deſigns here againſt the Parliament; 'and that by them, and ſome others fled out of 'this Kingdom for Treaſon, great Means are made 'to make up the Differences betwixt ſome Princes 'of the *Romiſh* Religion, that ſo they might unite 'their Strength, for the Extirpation of the *Pro-* 'teſtant Religion; wherein principally this King- 'dom and the Kingdom of *Scotland* are concerned, 'as making the greateſt Body of the *Reformed* Re- 'ligion in *Chriſtendom*, and beſt able to defend them- 'ſelves and ſuccour other Churches.

'For all which Reaſons we are reſolved to enter 'into a ſolemn *Oath* and *Covenant with God*, to 'give up ourſelves, our Lives and Fortunes, into 'his Hands; and that we will, to the uttermoſt of 'our Power and Judgment, maintain his Truth, 'and conform ourſelves to his Will. That we 'will defend this Cauſe with the Hazard of our 'Lives, againſt the King's Army, and againſt all 'that join with them in the Proſecution of this 'wicked Deſign; according to the Form to be 'agreed upon by both Houſes of Parliament, to be 'ſubſcribed by our Hands; and that we will, for 'the ſame Ends, aſſociate ourſelves, and unite with 'all the Well-affected in the City of *London* and 'other Parts of his Majeſty's Dominions.

'That we expect our Brethren of *Scotland* (ac- 'cording to the Act of *Pacification*, whereby the 'two Kingdoms are mutually bound to ſuppreſs all 'Debates and Differences, to the Diſturbance of 'the Public Peace) will help and aſſiſt us in Defence 'of the Cauſe; which, if the Popiſh Party prevail, 'muſt needs either involve them in that Alteration 'of Religion which will be made here, or engage 'them in a War againſt this Kingdom, to defend 'their own Religion and Liberty: And we doubt 'not but the God of Truth, and the great Pro- 'tector of his People, will aſſiſt and enable us, in

'this

'this our juſt Defence, to reſtrain the Malice and 'Fury of thoſe that ſeek our Ruin; and to ſecure 'the Perſons, Eſtates, and Liberties of all that join 'with us; and to procure and eſtabliſh the Safety 'of Religion, and Fruition of our Laws and Li- 'berties, in this and all other his Majeſty's Domi- 'nions; which we do, here again, *profeſs, before* 'the ever-living God, *to be the chief End of all our* 'Counſels and Reſolutions, *without any Intention or* 'Deſire to hurt or injure his Majeſty, *either in his* 'Perſon or juſt Power.' An. 18. Car. I. 1642. October.

There is no Mention of any *Anſwer* from the King to this *Proteſtation* of Parliament, in the *Journals:* We give it here for the Sake of Connection, tho' it was printed after the Battle of *Edge-Hill.* (q) This Circumſtance of Time is neceſſary to be taken Notice of, on account of ſome Expreſſions which carry a Reference to that Action.

The King's Anſwer to it.

'IF, in truth, the Framers of this *Declaration* 'are not engaged by any private Paſſion or Re- 'ſpect, by any evil Intention to our Perſon, or 'Deſign to the Prejudice of our juſt Honour and 'Authority, to raiſe theſe Forces and Army againſt 'us (as they call Almighty God to witneſs they 'are not) they will think it their Duty to diſclaim 'the Protection of the Conductors of that Army; 'who, the next Day after this ſo ſolemn *Proteſta-* 'tion, uſed their utmoſt Power, by the Strength 'of that Army, to have deſtroyed us, and put our 'Perſon (for whoſe Defence they would make the 'World believe this Army is raiſed) into as much 'Danger as the Skill and Malice of deſperate Rebels 'could do; otherwiſe this *Proteſtation*, now made, 'will appear of the ſame Nature with thoſe by 'which they promiſed to make us a glorious King; 'when, by their *Nineteen Propoſitions*, they endea- 'voured to ſtrip us of all thoſe Rights which made 'us a King and them Subjects.

'What

(q) Printed at *Oxford* by *Leonard Litchfield*, Printer to the Univerſity, 1642.

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'What thoſe Actions and Proceedings have been, 'which have manifeſted their Loyalty and Obedi- 'ence unto us, will be as hard to find, as in their 'humble *Petitions* and *Remonſtrances*; when, in 'truth, their *Actions* have been the greateſt Scorns 'of our Authority, and their *Petitions* the greateſt 'Reproaches and Challenges of us, which any Age 'have produced: And we have not only the clear 'Evidence of our own Conſcience, but the Teſti- 'mony of all good Men, that we left no Action 'unperformed on our Part, which might have pre- 'vented the Miſery and Confuſion which the Am- 'bition, Fury, and Malice of theſe ſeditious Per- 'ſons have brought upon this poor Kingdom; nei- 'ther is there any thing wanting to the Happineſs 'of Church and State, but that Peace and Order 'which the Faction of theſe Men have robbed 'them of.

'But they ſay, *They directed their General, the 'Earl of* Eſſex, *to deliver an humble* Petition *to us, 'wherein they deſire nothing from us, but that we 'would return in Peace to our Parliament; and, by 'their faithful Counſel and Advice, compoſe the Di- 'ſtempers and Confuſions abounding in our Kingdoms, 'as we are bound to do.* We were never ſo back- 'ward in receiving, or ſo ſlow in anſwering, the *Pe- 'titions* of either or both our Houſes of Parliament, 'that there was any Need of an Army to quicken us; 'which either or both Houſes of Parliament have, 'in no Caſe, any more Shadow of Right or Power to 'raiſe by any Law, Cuſtom, or Privilege, than they 'have, by their *Votes*, to take away the Lives and 'Fortunes of all the Subjects of *England*; yet the 'Framers of this *Declaration* take it unkindly, *that, 'upon their Profeſſion in the Sight of Almighty God '(which is,* they ſay, *the ſtrongeſt Aſſurance that any 'Chriſtian can give) we did not put ourſelf into their 'Hands*, (thoſe Hands which were lifted up againſt 'us, and filled at that Time with Arms to deſtroy 'us) and leave a Strength God had ſupplied us with, 'of good and faithful Subjects; who, notwith- 'ſtanding all their Threats and Menaces, had

'brought

'brought themſelves to our Aſſiſtance. If that *Petition* had been ſo humble as they pretended, they would not have loſt the Advantage of publiſhing it in this their *Declaration*; that the World might as well have been Witneſs of our Refuſal of Peace, as it hath been of their Diſdain of any Way to it, when they rejected our ſeveral earneſt Offers of a *Treaty*. An. 18. Car. I. 1642 October.

'But why did they not ſend this humble *Petition?* Why, *His Excellency twice ſent unto us for a Safe-Conduct for thoſe who ſhould be employed therein, and we refuſed to give any, or to receive the humble and dutiful Petition.* Sure, when our good Subjects ſhall underſtand the ſtrange Enmity between theſe Men and Truth, the No-conſcience they uſe in publiſhing, and informing thoſe by whom they pretend to be truſted, Things monſtrous and contrary to their own Knowledge, they will be no leſs offended with their Falſhood to them, than their Treaſon to us. 'Tis well known we never refuſed to give Admittance to any *Meſſage* or *Petition* from either or both Houſes of Parliament; their Meſſengers have been received and entertained, not only with that Safety, but with that Candour, as is due to the beſt Subjects; when their Errand hath been full of Reproach and Scorn, and the Bringers, bold, arrogant, and ſeditious in their Demeanour; and therefore there needed to have been no more Scruple made in the Delivery of this, than the other *Petitions* which have been brought us.

'The Truth is, we were no ſooner acquainted at *Shrewſbury*, by the Earl of *Dorſet*, that he had received a *Letter* from the Earl of *Eſſex*, intimating, *That he had a* Petition *from both Houſes to be delivered to us, and to that Purpoſe aſking a Safe-Conduct for thoſe who ſhould be ſent*; but we returned this *Anſwer*, *That as we had never refuſed to receive any* Petition *from our Houſes of Parliament, ſo we ſhould be ready to give ſuch a Reception and Anſwer to this as ſhould be fit; and that the Bringers of it ſhould come and go*

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'*with all Safety*; only we required, *that none of* '*thoſe Perſons whom we had particularly accuſed of* '*High Treaſon ſhould be, by Colour of that* Petition, '*employed to us.*

'After this we heard no more till a ſecond *Letter*, 'at leaſt a Fortnight after the firſt to the Earl of '*Dorſet*, informed us, *That our former* Anſwer '*was declared to be a Breach of Privilege, in that* '*we would not allow any Meſſengers to come to us*; 'that is, that we were not content that ſuch Per-'ſons, who had conſpired our Death, might ſecurely 'come into our Preſence.

'Our ſecond *Anſwer* differed little from our 'former, inſiſting, *That the Addreſs ſhould not be* '*made by any of thoſe Perſons whom we had par-*'*ticularly accuſed of High Treaſon, amongſt whom* '*the Earl of* Eſſex *himſelf was one*; *but declaring* '*that our Ear ſhould be ſtill open to hear any* Pe-'tition *from our two Houſes of Parliament:* Whe-'ther this were a Denial from us to receive their '*Petition*, or whether, if our two Houſes of Parlia-'ment had indeed deſired to treat with us by *Petition*, 'they might not as well have ſent it to us, as they 'have ſince done their *Inſtructions* to their Ambaſſa-'dors into *Ireland*, and their new *Bill* for rooting out 'Epiſcopacy, and deviſing a new Form of Church-'Government, let all the World judge. We 'have Reaſon to believe that the *Petition* then pre-'pared for us (if we have ſeen the true Copy of it) 'was thought, by the Perſons truſted for the pre-'ſenting it, fitter to be delivered after a Battle and 'full Conqueſt of us, than in the Head of our 'Army, when it might ſeem, ſomewhat, in our 'Power whether we would be depoſed or not.

'For that continued diſhoneſt Accuſation of our 'Inclination to the *Papiſts*, (which the Authors of 'it in their own Conſciences, which will one Day 'be dreadful to them, know to be moſt unjuſt and 'groundleſs) we can ſay no more, and we can do 'no more, to the Satisfaction of the World. If 'they know that the Romiſh Prieſts have encou-'raged thoſe of that Religion to conform themſelves

'to

'to the *Proteſtant* Religion, by coming to Church, An. 18. Car. I.
'receiving the Sacrament, and taking the Oaths of 1642.
'Allegiance and Supremacy, they are more con- October.
'verſant with the Subtilties of them than we are;
'but we muſt confeſs, till we be certain they have
'found that Way to deceive us, that is, to elude
'the Laws which are againſt them, we ſhall, in
'Charity, believe their Conformity to be real, and
'not pretended: But that any *Prieſts* or *Jeſuits*,
'impriſoned, have been releaſed by us out of the
'Goal of *Lancaſter*, or any other Goal, is as falſe
'(to uſe an Expreſſion of their own) as the Father
'of Lyes could invent; neither are the Perſons
'named in that *Declaration*, to whom Commiſſions
'are ſuppoſed to be granted for Places of Command
'in this War, ſo much as known to us; nor have
'they any Command, or, to our Knowledge, are
'preſent in our Army; and 'tis ſtrange that our
'*Oaths* and *Proteſtations* before Almighty God,
'for the Maintenance of the *Proteſtant* Religion,
'ſhould be ſo ſlighted in the End of that *Declara-*
'*tion*; when, in the Beginning of it, it is acknow-
'ledged to be the ſtrongeſt Obligation and Aſſu-
'rance that any Chriſtian can give. We deſire to
'have our *Proteſtations* believed by the Evidence of
'our *Actions*: But they are informed (and that is
'Ground enough for them to lay the baſeſt Impu-
'tation upon their Sovereign) that Sir *John Hen-*
'*derſon* and Colonel *Cochran* (Men of ill Report
'both for Religion and Honeſty) are ſent to *Ham-*
'*burgh* and *Denmark*, (we thought we ſhould have
'heard no more News from *Denmark*) to raiſe
'foreign Forces, and to bring them hither. We
'have before, in our *Declarations*, (ſufficient to
'ſatisfy any honeſt Man) declared our Opinion and
'Reſolution concerning foreign Force; and we had
'never greater Cauſe to be confident of Security in
'our own Subjects, and therefore cannot believe ſo
'vile a Scandal can make any Impreſſion in ſober
'Men.

'Let a Liſt of the Nobility and Gentry about
'us, and in our Service, be viewed; and will they

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'not be found the moſt zealous in the *Proteſtant* 'Religion, the moſt eminent in Reputation, of 'the greateſt Fortunes, and the greateſt Fame, the 'moſt public Lovers of their Country, and moſt 'earneſt Aſſertors of the Liberty of the Subject, 'that this Kingdom hath? How different the Re- 'putation of the principal Ringleaders of this Fac- 'tion and Rebellion is, how careful they are of 'employing virtuous and honeſt Men, is apparent 'to all the World; when they have entertained all 'the deſperate and neceſſitous Perſons (whereof 'very many are *Papiſts*, which we ſpeak knowingly, 'as having taken ſeveral of them Priſoners) they 'can draw to them; and when they ſuperſede a 'Proceeding, at the Common Law, for an odious 'and infamous Crime, that Mr. *Griffen* may have 'Liberty to keep them Company in this Rebellion.

'For our Affection and gracious Inclination to 'the City of *London*, and how far we are from any 'ſuch Purpoſe as theſe impious Men charge us 'with, appears in our late *Proclamation*; in which 'we declare the Suburbs to be comprehended, as 'well as the Cities of *London* and *Weſtminſter*; to 'which we doubt not they will give that Credit 'and Obedience, as we ſhall have Cauſe to com- 'mend their Loyalty in joining with us to ſuppreſs 'this Rebellion; which, uncontrolled, in a ſhort 'Time muſt make that Place moſt miſerable.

'*For the* Oath *and* Covenant *which they threaten* '*us with*; if it be to engage them to do, or not to 'do, any thing contrary to the *Oaths* they have 'already taken of Allegiance and Supremacy; as it 'cannot oblige them being taken, ſo we doubt not 'our good Subjects will eaſily diſcern that it is a 'Snare to betray and lead them into a Condition of 'the ſame Guilt, and ſo of the ſame Danger with 'themſelves: And we muſt therefore declare, who- 'ſoever ſhall hereafter ſuffer himſelf to be cozened 'by thoſe Stratagems, and take ſuch a voluntary 'Oath againſt us, we ſhall impute it to ſo much 'Malice, as will render him uncapable of our 'Pardon; and ſhall proceed againſt him as a deſpe-

'rate

'rate Promoter of Sedition, and an Enemy to the 'Kingdom. An. 18. Car. I. 1642. October.

'Let all honeſt Men remember the many gra-'cious Acts we have paſſed this Parliament, for 'the Eaſe and Benefit of our People; that when 'there was nothing left undone or unoffered by us, 'which might make this Nation happy, theſe miſ-'chievous Contrivers of Ruin, inſtead of acknow-'ledging our Grace and Juſtice, upbraided us, with 'all the Reproaches Malice and Cunning could 'invent, in a *Remonſtrance* to the People, a Thing 'never heard of till that Time; that having thus 'incenſed mutinous and ſeditious Minds, they made 'Uſe of them to awe the Parliament, driving us and 'the Major Part of both Houſes from our City of '*London*; that they took away our Fort and Town 'of *Hull* from us, kept us from thence by Force 'of Arms, and employed our own Magazine 'againſt us; that they ſeized upon our Royal 'Navy, and with it chaſed our good Subjects, and 'kept all Supply from us; that they voted away 'our Negative Voice, and then raiſed a formidable 'Army to deſtroy us; that when they had thus 'compelled us to raiſe ſome Power for our Defence, '(by the Help of ſuch of our good Subjects, who, 'againſt the Fury of theſe Men, durſt continue 'loyal) they abſolutely and peremptorily refuſed 'to treat with us for the Peace of the Kingdom: 'And, laſtly, That on the twenty-third Day of '*October*, they brought this Army (raiſed for the 'Defence of our Perſon) into the Field againſt us; 'and uſed their beſt Skill and Means to deſtroy us 'and our Children. We ſay, whoever remembers 'and conſiders this Progreſs of theirs, will think of 'no other *Covenant* than to join with us in the 'Apprehending the Authors of this miſerable Civil 'War; that Poſterity may not, with Shame and 'Indignation, find that a few ſchiſmatical ambitious 'Perſons were able to bring ſuch a flouriſhing 'glorious Kingdom, which hath ſo long reſiſted 'the Envy of *Chriſtendom*, to a ſpeedy Deſolation, 'to ſatisfy their own Pride and Ambition.

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'And we doubt not our good Subjects of *Scotland* 'will never think themſelves engaged by the Act 'of *Pacification*, (to which we willingly conſented) 'to aſſiſt a Rebellion againſt their own natural 'King, for the Aſſiſtance of Perſons accuſed, and 'notoriouſly known to be guilty, of High Treaſon; 'the bringing of whom to condign Puniſhment 'would, with God's Bleſſing, be a ſpeedy Means 'of Happineſs and Peace to our three Kingdoms.'

His Majeſty reſolves to march towards London.

The King, having by this Time greatly augmented his Army at *Shrewſbury* and the Counties adjacent, left the Earl of *Eſſex* behind him at *Worceſter*, and reſolved to march directly towards *London*. This Reſolution put both Houſes and the City into the utmoſt Conſternation; the Parliament not only ſent to their General to haſten after the King, but, by their late *Orders*, were endeavouring to raiſe another Army, under the Command of the Earl of *Warwick*, to oppoſe him. And,

The Parliament and Citizens prepare for their Defence.

October 24. *Orders* were given, requiring all Manner of Perſons whatſoever, in *London*, *Weſtminſter*, and *Southwark*, to ſhut up their Shops, and forbear their Trades; that ſo they might, with the greater Freedom and Diligence, for the preſent, attend the Defence of the ſaid Places, and put in Execution ſuch Commands as they ſhould, from Time to Time, receive from both Houſes of Parliament for that Purpoſe. And, to ſecure themſelves within Doors, the Houſe of Commons had thought fit to require a Declaration from each of their Members, ſeparately, That they would be aſſiſting to the Earl of *Eſſex* in this Cauſe, with their Lives and Fortunes; and, as a Teſtimony of it, to give or lend ſome Money, immediately, for that Service.

An *Ordinance* of Parliament was this Day read and agreed to, *For making Proviſion for thoſe that ſhould be maimed in the preſent War, in the Service of the Parliament; and alſo for the Wives and Children of thoſe that ſhould be ſlain*; which ſeemed to be

be providentially made; for the Battle of *Edge-Hill* was fought the Day before, and many unfortunate Perſons were now intitled to the Benefit of this *Ordinance:* But no Mention is yet made in the *Journals* of the Event of this Battle. An. 18. Car. I. 1642. October.

October 25. An *Order* was made for putting the City *Militia*, *&c.* in Motion; and another for allowing a Maintenance to the King's youngeſt Children, the Duke of *Glouceſter* and the Princeſs *Elizabeth*, then at St. *James's*, out of his Majeſty's Revenues, which the Parliament had taken into their own Hands. The Lords adjourned to the Afternoon of

October 26. When a *Proclamation* from the King, entered in the *Journal* of this Day, was read, but not mentioned who delivered it. The Contents were theſe:

CHARLES *R.*

'HIS Majeſty, verily believing that many of his Subjects, who are now in actual Rebellion againſt him, are ignorant againſt whom they fight, is graciouſly pleaſed to promiſe free Pardon to both Officers and Soldiers (except thoſe that are, by Name, proclaimed Traitors) who ſhall lay down their Arms and ſubmit themſelves to his Majeſty. The King's Offer of Indemnity to ſuch as lay down their Arms.

'We command you, *Clarencieux* King at Arms, to pronounce this above-written, before the Earl of *Eſſex*'s Army.'

The ſame Day the Lord *Wharton* made a Relation of the Fight which had happened on *Sunday* laſt, the twenty-third Inſtant, between the Parliament's Forces and the King's, at a Place between *Warwick* and *Banbury*, near a Town called *Keynton*; and that it was conceived there were ſlain, of the King's Party, 3000; and, on the Parliament's Side, not above 300: That the Lord-General with his Forces were retired to *Warwick*, and that the King's The Lord Wharton's Relation of the Battle of Edge-Hill.

Army

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Army was in thoſe Parts, but that they refuſed to meet the Parliament's Forces on the *Monday* before his Excellency retired. (*r*)

Which is ordered to be communicated to the Citizens of London.

October 27. The Lord *Wharton* ſignified to the Lords, That the Lord-General deſired the Relation of the Battle at *Keynton* might be made to the City of *London*, having found ſo much Friendſhip from them to the Parliament's Cauſe. Hereupon the Houſe *ordered* the Lord Mayor to be ſent to, to call a Common-Hall to meet this Afternoon, at Five o'Clock; and an extraordinary Committee of both Houſes to be appointed to go to the City, where the Lord *Wharton* was to make the Relation to them. Accordingly a Committee of ten Lords and twenty Commoners was ſent; ſome of whoſe Speeches on this Occaſion, being yet preſerved in a Pamphlet of this very Time, and no where elſe that we know of, deſerve our Notice. We ſhall therefore give them in their own Phraſe and Diction: (*s*)

And firſt the Lord *Wharton*.

My Lord Mayor, and you the Aldermen and Common Council of this City,

Lord Wharton's Speech at the Guildhall on that Occaſion.

'IN a Buſineſs of this very great Conſequence and Concernment, it was very well known to my Lord-General, that you could not but be full of great Expectations; and my Lord had, according to his Duty, taken Care for to give Information to the Parliament, who had ſent him, of what had proceeded: In the very next Place it was his particular Reſpect to this City, to my Lord Mayor, the Aldermen, the Common Council, and all the Commons of this City, that they might likewiſe be acquainted with the Succeſs of that Buſineſs; towards 'which

(*r*) The King's Account of this Battle, printed at *Oxford* by *Leonard Litchfield*, and the Parliament's Relation of the ſame, may be ſeen in *Ruſhworth*, Vol. V. p. 33. *et ſeq.*

(*s*) *London*, printed for *Francis Coles* and *Thomas Bates*, 1642. In the Collections of the late Sir *Henry Goodricke* of *Ribſtan*.

which they themſelves had been at ſo much Expences, and ſhewed ſo much Love and Kindneſs in all their Proceedings for that Purpoſe: And becauſe Letters might be uncertain, and might miſcarry, there being great Interception of them, the Forces of the Armies being cloſe together, my Lord thought fit to ſend Mr. *Strode*, a Member of the Houſe of Commons, and myſelf: And certainly whatſoever ſhall be related by us to you, it will be good News, or elſe we ſhould not willingly have undertaken the bringing of it; and for the Truth of it, though we already hear that there are thoſe that have ſo much Malignity as to oppoſe it, yet the Certainty of it will clear itſelf; and therefore there ſhall need no Apologies to be made, but that which ſhall be ſaid to you, ſhall be the Truth, and nothing but the Truth, in a very clear Way of Relation of what hath paſt. An. 18. Car. I. 1642. October.

'Gentlemen, I ſhall open to you, as near as I can, as it comes within my Memory, thoſe Circumſtances which are worthy the taking Notice of:

'And firſt, the Occaſion why ſo many of the Forces were not then upon the Place; which you will find to be upon very good Ground and Reaſon, for the Preſervaton of the Counties that were behind, and of this City; which is the particular Thing in the Care, and now under the Diligence, of my Lord-General to preſerve. There was left at *Hereford*, which lies upon the Confines of *Wales*, a Regiment of Foot under the Command of my Lord of *Stamford*, and a Troop or two of Horſe; that the Power of *Wales* might not fall in upon *Glouceſterſhire* and upon the River of *Severn*, and ſo upon the *Weſt*. There was likewiſe left at *Worceſter* (which you all know how it is ſeated upon the River of *Severn*, and what Advantage it hath to intercept all Force that ſhall come from *Shrewſbury* down into the *Weſt*) a Regiment of Lord St. *John* and Sir *John Merrick*'s. There was, for the Safety of *Coventry* (for that was a Town it was likely the King might have fallen upon) the Regiment of my Lord *Rochford*; but it ſeems that his Excellency the

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the Earl of *Eſſex*'s Army did ſo quickly come up to the King's, that his Majeſty thought it no way fit or advantageous for him to ſpend any Time upon thoſe Places, for certainly they would have very quickly been relieved; ſo that the King ſtepped by *Warwick* and *Coventry*, which, otherwiſe, we conceive they were Towns he had as good an Eye upon as any other Towns in the whole Kingdom excepting this. There were likewiſe, occaſioned by the Suddenneſs of my Lord's March, two Regiments of Foot, one under the Command of a Gentleman you all know, Col. *Hampden*, and the other under the Command of Col. *Grantham*, with ſome ten or twelve Troops of Horſe, one Day's March behind; bringing up ſome Powder, Ammunition and Artillery, which my Lord would not ſtay for; purpoſely upon his Diligence and Deſire that there ſhould not be an Hour loſt in purſuing after that Army, and that he might make all Haſte in coming up to this Town: And his Deſire to make Haſte to keep with that Army was ſuch, that he kept, for two or three Days together, a Day's March before that Army; and ſo, there being another Regiment lodged in *Banbury*, occaſionally, for their own Safety, there was with the Earl, when this Battle was fought upon the Lord's Day, eleven Regiments of Foot, and about the Number of thirty-five or forty Troops of Horſe. That which makes me ſay this to you, is partly for your Satisfaction, that you may know the Reaſons of the Things that are paſt; and partly that you may give the more Glory to God for his Bleſſing, and for his Preſervation of that Remnant of the Army.

'Upon the *Saturday* at Night, after a very long March, for they came not in till nine or ten o'Clock at Night, the Army came to *Keynton*; and the next Morning, about ſeven o'Clock, (though all that Night there was News came that the King was going to *Banbury*) we had certain Information he was coming down a Hill, called *Edge-Hill*, which hath ſome Advantage by Nature for Forts and Breaſt-Works, and ſuch Things as thoſe are; and the King's

King's Army (that Army which, being raiſed by his Authority, goes under the Pretence of being raiſed for him and the Parliament, but really againſt the Parliament) coming down the Hill, my Lord of *Eſſex* preſently drew out into the Field; and drew his Army into a Place of as good Advantage as poſſibly he could, tho' the other Army had the Advantage by the Hill, which they were poſſeſſed of before; and, at the Beginning of the Day, the Wind was againſt us, and was for the Advantage of the other Army. The Preparation on both Sides was for the making of them ready for Fight, and the King's coming down the Hill was ſo long, that there was nothing done till Four in the Afternoon. And, Gentlemen, I ſhall tell you the worſt as well as the beſt, that you may know all; and that when you have known the worſt, you may find it in your Judgments, to give the more Praiſe to God for his Mercy, after there was ſo little Probability of any Succeſs. An. 18. Car. I. 1642. October.

'After we had ſhot two or three Peices of Ordnance, they began for to ſhoot ſome of theirs; and truly, not long after, before there was any near Execution, three or four of our Regiments fairly ran away. I ſhall name you the Particulars, and afterwards name you thoſe that did the extraordinary Service, whereof you will find thoſe of this City to have been very extraordinary Inſtruments. There were that ran away, Sir *William Fairfax*'s Regiment, Sir *Henry Cholmley*'s, my Lord *Kimbolton*'s, and, to ſay the plain Truth, my own.

'Gentlemen, you ſee by this Time, I am like to tell you the Truth of every Thing; but yet I muſt ſay this, that tho' they did ſo, I hope there will be a good Number of them got together again, that may ſhew themſelves in better Condition, and better Way of Service than yet they have done: I hope ſo, and, by the Bleſſing of God, it may be ſo, for they are but young Soldiers; and we have ſome young Soldiers that have, this laſt Battle, done very extraordinary and gallant Service.

'Not

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'Not long after there was a Charge upon the Left Wing of the Horſe, where I conceive there was a Matter of eighteen or nineteen Troops; and truly I cannot ſay they did ſo well as they ſhould, tho' I hope there are not many of them cut off neither, but that they will be brought together again to do very good Service hereafter; but ſo it is, they had the worſt of it. By this you will ſee that, at the Beginning of the Day, we might think it would not prove ſo well as it pleaſed God it did afterwards in the Cloſe of the Day; for four Troops were divided, and one Part of the Horſe was not in good Order; but it pleaſed God now to ſhew himſelf, for after the King's Horſe had paſt the Left Wing of our Horſe, (I cannot ſay it was in any Hands but God's own Providence) they went to the Town where all our Baggage was, (the Baggage of the Officers and the private Perſons of the Army, not they of the Artillery, but the Colonels Carts and the Captains Carts, and ſuch Proviſion as that) and there they took a Bait upon our Pillage, and fell a Plundering all the while the reſt of the Army was fighting; and indeed my Lord-General had ſome more Loſs than ordinary, by ſome Cloaths and Money he had there; but we may thank God they were away, for thereby the reſt of our Army had better Opportunity to do the Service they did.

'My Lord-General himſelf, upon this Extremity, did begin to ſhew himſelf to be more than an ordinary Man, and indeed I think more than I have heard tell of any Man; for he charged up at ſeveral Times, once with his own Troop of Horſe, as I remember; but I am ſure with his own Regiment of Foot, which was raiſed here in *Eſſex*; and tho' ſo many ill Paſſages happened before, yet by his own Foreſight and Encouragement, and the Encouragement of others, his Troop of Horſe fell upon the King's own Regiment, (which they had the moſt Hopes of) called the *Red Regiment*; and, after a ſore and bitter Fight (for to give them their Due, they fought very well, thoſe of my Lord of *Eſſex*'s Regiment I mean and thoſe Horſe I ſpake of

of before) they killed the King's Standard-Bearer, Sir *Edward Verney*; alſo took the King's *Standard* which was raiſed up againſt the Parliament, and brought it to my Lord-General; and he delivered it to a Servant, who was not ſo careful as he ought to have been; yet it was not re-taken by Force, but by the Careleſneſs and Negligence of ſome Perſons: They took likewiſe the Earl of *Lindſey* the King's General, Priſoner, and carried him away; they took Priſoner my Lord-General's Son, my Lord *Willoughby* of *Ereſby*; as alſo the Perſon you have heard ſo much of, and been ſo well acquainted with here, Col. *Lunsford*, which ſhould have had the *Tower*, he was likewiſe taken Priſoner, and his Brother ſlain; Sir *Edward Stradling* Priſoner, and divers others of Quality, as my Lord *Aubigny*, Col. *Vavaſour*, and Sir *Edward Murray*, a *Scotſman* of great Quality. An. 18. Car. I. 1642. October.

'While theſe were upon this Service, I muſt do Juſtice to divers other of the Officers of the Horſe, which were upon the Right Wing, that did extraordinary Service too; that was my Lord of *Bedford* himſelf, who did very gallantly; Sir *William Balfour*, the late Lieutenant of the *Tower*, Sir *Philip Stapylton*, and all the Troop which formerly had been under ſome other Kind of Report, did extraordinary Service, and kept entirely to their Charge; and though they were long under the Power of the other's Canon, there being ſome ſeventeen Shot againſt them, they ſtood ſtill; and, God be thanked, not a Man of them hurt.

'There was likewiſe very extraordinary Service performed by my Lord *Grey* and Sir *Arthur Haſelrig*, who indeed were a Help to give a great Turn to the Day, by cutting off a Regiment of the King's which was called the *Blue Regiment*; and there were many other Gentlemen of great Worth, that did very extraordinary Service too. I would not have you underſtand that others did not do it, becauſe I remember not their Names, for I ſpeak to you now but on the ſudden; only theſe I have named come now

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now to my Memory, and you will hear more of the reſt upon other Occaſions.

'Upon the Cloſe of the Day, we knew it for certain that the beſt Regiment of the King's was cut off, and his next beſt Regiment, which was that under my Lord of *Lindſey*; that there were all the Priſoners taken and Perſons of Quality ſlain I told you of; and we were informed by the Countrymen, that ſaw them bury their Dead next Day, and bring them up into Heaps, that there were about 3000 of theirs ſlain; and we cannot believe, nor we cannot have any Information to give us Reaſon to believe, that there were above 300 of ours ſlain.

'It is to be obſerved of God's Providence in this Day's Work, that tho' it began ſo improbably, yet before the Cloſe of the Night, which was two Hours, (for they began to fight but about Four o'Clock) we had got the Ground that they were upon; and had alſo got the Wind of them; and we do not know, nor by Information can conceive, that there were twenty Men of ours killed by all the King's Canon.

'And when it was Night and there could be no more Fighting, we drew our Forces together, and ſo likewiſe did the King. They were then but at a reaſonable Diſtance, it may be three Times, or ſix Times the Length, or ſome ſuch Diſtance, of this Room; but in the Night the Forces of the King withdrew up towards the Hill from whence they came; and my Lord-General ſent, amongſt others, myſelf for to bring up thoſe Forces to him, which I told you were a Day's March behind; theſe were Col. *Hampden* and Col. *Grantham*, and thoſe Troops of Horſe, and the Artillery; and about one or two o'Clock the next Morning, they came to my Lord-General, and joined with the reſt of the Army.

'When the King had drawn his Forces up the Hill, my Lord-General drew us a matter of three Quarters of a Mile further from the Hill, that he might be out of the Power of their Canon; there we ſtood on our Arms all the Night, and in the Morning,

ing, drew ourſelves again into the Field; but we heard no more News of the other Army, more than we ſaw ſome ſcattering Men, of ſome three or four Troops of Horſe on the Top of the Hill, which came to bury the Dead, and to take away ſome of their Canon, and ſuch Things as thoſe were; but they came no more down the Hill, neither that Day, nor on *Tueſday*; though there were divers Reports came to us in the Army, and I believe came hither, that there was Fighting on *Monday* and *Tueſday:* But there was no Fighting, for the King kept on the Top of the Hill; and we came away on *Tueſday*, at four o'Clock; ſo that we can aſſure you there was no more Action, than what was on the Lord's Day. An. 18. Car. I. 1642. October.

'Gentlemen, Now I have declared this Narration to you, I ſhall ſay no more than this, That certainly my Lord-General himſelf hath deſerved as much in this Service, for his Pains and Care, and for the particular Succeſs that was upon it, as truly as, I think, ever any Gentleman did; and in the next Place, that as God of his own immediate Providence did thus declare himſelf for the Owning of his own Cauſe, ſo you will not forget to apply yourſelves to God, to give him the Glory, and to intreat his Bleſſing upon your future Attempts.'

Mr. *Strode* ſpoke next.

Gentlemen all,

'AS the Noble Lord hath told you, my Lord-General ſent him up to you to give you a clear Information of what was done; and he hath given you ſo clear a one, that there is little left for me to ſay to you; only my Atteſtation, and that's needleſs. Had that been all I ſhould have ſaid nothing; but in the Enumeration of thoſe Regiments that did run away, and of his own, I muſt needs ſay thus much, that, when they were all away, he ſtaid with us in the Service all that Night. This I hold my Duty to this Honourable Perſon, ſince it was Modeſty in himſelf to ſay nothing. Mr. Strode's.

'I

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'I ſhall crave Leave a little further to make you ſome Obſervation, that as God did this great Work, and we aſcribe to him the Honour; ſo you will look upon the Perſons by whom he did it. In the firſt Place you have heard, when it was a thouſand to one but that we had loſt the Day, by the running away of the Troop of Horſe and the four Regiments, that the General did draw up his own Regiment; and that then did God begin, in them, to ſhew his own Work; and not only in them, but by a Regiment raiſed in *Eſſex*, another Regiment raiſed in this City under the Command of Mr. *Holles*, and one Regiment of my Lord *Brooke*'s, which had the Day upon them. Theſe were the Men that were, ignominiouſly, reproached by the Name of *Round-Heads*; but by theſe *Round-Heads* did God ſhew himſelf a moſt glorious God: And truly, Gentlemen, they that will report to you the Number of our Dead, farther than we have reported them to you, muſt find them many Miles from the Army; and then they were Men that ran away ſo far, that it was no Matter who killed them; for our Men, kill'd any where about the Place, we cannot find in all, or think of, above 300, and you'll ſay they were well loſt that run away; there were few loſt of them that ſtood their Ground, and they that were ſo loſt were loſt with Honour: So that truly I can ſay no more to you, in ſuch a Cauſe as this, that you have undertaken with your Purſes and with your Perſons: God hath ſhewed himſelf with us; be you but courageous and we never need doubt it. And ſo we ſay all.'

Then the Earl of *Pembroke* ſaid,

My Lord Mayor, and you Gentlemen of the City,

The Earl of Pembroke's,

'I Am commanded, and the Reaſon that makes me trouble you at this Time with ſaying any thing, is by reaſon of a *Letter* I received from the Committee, which, I think, is a *Letter* of ſome Conſequence, and fitting for you to ſee; otherwiſe I am ſo ill a Speaker, after ſuch a Declaration made to you, that I have not the Boldneſs to ſay any thing

thing to you; but truly tho' I ſay little, yet I have ever had ſo good a Heart to this Buſineſs, that I ſhall ever live and die in it. An. 18. Car. I. 1642. October.

Gentlemen, you have ſhewed yourſelves like brave and noble Citizens; you have acted with that Nobleneſs, with that Alacrity, with that Love to God, King, and Parliament, that none of your Anceſtors before ever ſhewed more Love, nor Care, nor Zeal, nor performed better. I have only this to ſay to you, If the Times are ſuch, (not that I think there is any great Peril in the King's Army now, for we have told you nothing but the Truth) yet when you have ſeen this *Letter*, you will find there is very good Cauſe for you to crown this Work; which muſt be by following it with the ſame Zeal, Love, Care, Nobleneſs, and Alacrity; which if you do, you may well crown yourſelves with the Name of a glorious City, and none more.'

Here the *Letter* was read as follows:

To the Earl of CUMBERLAND, General of his Majeſty's Forces in the *North*.

My very good Lord,

YOUR Lordſhip's, of the 20th of this Month, I have received by Stockdale, *and have read it to his Majeſty; who willed me to ſignify to your Lordſhip, that he is well pleaſed with your Lordſhip's continuing of the Sheriff in his Place, albeit he ſent a Writ for his Diſcharge. His Majeſty takes a ſpecial Notice of your Lordſhip's Vigilancy and Care in the Truſt he hath repoſed in your Lordſhip, as he hath, by many gracious Expreſſions, declared at ſeveral Times openly, upon Conference of your Buſineſs in that County.*

Your Lordſhip's Care of my Lady Ducheſs of Buckingham *is, I aſſure you, very well taken by his Majeſty.*

Sir Ralph Hopton, *and other Gentlemen in the* Weſt, *have raiſed* 10,000 *Horſe and Foot, with which they have already diſarm'd all Perſons in* Cornwall *that are diſaffected to the King: They have ta-*

An. 18. Car. I. 1642. October. *ken* Lanceſton, *and are marching into* Devonſhire, *to diſarm the Diſaffected there, and ſo intend to come to meet the King at* London. *There are alſo in* Wales *about* 6 *or* 7000 *Men levied for the King, which are to be under the Marquis of* Hertford, *that will be ready upon all Occaſions to come to his Majeſty; but we hope he will not need their Help, having given the Earl of* Eſſex *ſuch a Blow, as they will make no Haſte again to adventure themſelves in that Cauſe againſt God's Anointed. I ſhall refer your Lordſhip to the Relation of the Bearer for the Particulars.*

To-morrow his Majeſty marcheth towards London, *by* Oxford. *I am ſo full of Buſineſs, as I muſt crave your Lordſhip's Pardon that I write ſo briefly; but I am nevertheleſs,*

Your Lordſhip's

Edgſcot, Northamp. Oct. 24, 1642.

Moſt humble Servant,

EDWARD NICHOLAS.

After reading this *Letter*, the Earl of *Holland* ſaid,

My Lord Mayor, and you Gentlemen of the City,

The Earl of Holland's,

'IT is more by Obedience than Confidence, that I ſay any thing to you at this Time. My Lords and the Committee command me, and therefore I ſhall obey them. That which I ſhall ſay to you, is to obſerve on the Relation that this Noble Lord hath made: In the firſt Part of it what Deliverance God hath ſent you, that in a Danger (and indeed ſuch as, I am confident, all that were there believed the Cauſe of Religion, and Liberty, and all loſt) you ſaw what a preſent Turn it had; ſuch a one, as if it did not give us the Victory, yet it gave us the Advantage, that is certain; and truly a very great one, eſpecially when it was taken from ſo unhappy a Condition as we were likely to be in; wherein God hath ſhewed us what a Danger might have fallen upon us: And certainly it is becauſe every Man ſhould conſider, in that Danger, what he might have ſuffered, and what his

his Cauſe might have ſuffered; and by this to give you all Warning, that as he hath now begun to deliver you only by his Hand, and by his Power, he will expect that you will expreſs ſuch a Thankfulneſs to him for it, as now to make his Cauſe your Work; and to do it with your Hands boldly and with Courage. An. 18. Car. I 1642. October.

'For by this *Letter* that you have heard read now, you ſee what is threatened againſt you: The leaſt that you muſt expect as to this great Army of the King's is, that certainly, by the Diſpoſition of thoſe that command it, and have great Power in it, they intend you no leſs (and that is to be believed) than the deſtroying of the City and your Perſons, and the preying upon your Fortunes. This is not all; for you ſee if this doth not prevail, or be not powerful enough, an Army muſt come from the *Weſt*; you ſee the Preparation of another in the *North*; from all Parts of the Kingdom the Sword is drawn againſt you: And truly, having thoſe ill Intentions that they certainly have, it is the wiſeſt Courſe they can take; for in your City is the Strength of the Kingdom indeed: It is not only the Life but the Soul of it: If they can deſtroy you here, the reſt of the Kingdom muſt all ſubmit and yield; and, in that Yielding, muſt give over the Maintenance of all that is moſt dear to them.

'Therefore, if you will now conſider how God hath ſhewed that he hath kept the firſt Blow from you, by delivering of you, indeed, from ſuch an imminent Danger as it could not be believed it could have been recovered, but by himſelf and by the Power of his Hand: This may give you juſt Encouragement to purſue all Things that are for his Glory, and for the Defence of your Religion and his Cauſe. I am confident, as you will do it with Thankfulneſs, Duty, and Sincerity to him; ſo, in Wiſdom and Reaſon, you will (ſeeing what Threatnings there are againſt you) defend yourſelves and your Families. Nature directs you to this as well as Piety. We only recommend this to you, that you may but know it, and take it into your Thoughts,

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and into your Hearts; and then we are confident your Hearts will be raiſed with ſo much Piety, with ſo much Courage, and with ſo much Reſolution, as you will defend yourſelves; and, in defending yourſelves, defend us, the Parliament and the Kingdom. You may do it: You have Power, and we expect it from your Affections.'

Then Lord *Saye and Sele* made the following Speech:

My Lord and Gentlemen,

And Lord Say and Sele's.

'THAT little that I have to ſay, ſhall not be to ſet forth your approaching Danger; but I ſhall rather apply myſelf to ſtir up your Spirits, to encourage you, and to ſettle this Opinion in you, that, if you be not wanting unto yourſelves, which cannot be imagined in this Cauſe, you will not have Cauſe to fear Danger.

'It cannot be doubted, by what you have heard, but that the Intentions of theſe malignant, miſchievous Counſellors, and theſe Men of deſperate Fortunes that they have gathered to them, and into whoſe Hands they have put our King, are, that this rich and glorious City ſhould be delivered up as a Prey, as a Reward, to them for their Treaſon againſt the Kingdom and the Parliament; that your Lives ſhould ſatisfy their Malice; your Wives, your Daughters, their Luſt; and Religion itſelf, the deareſt Thing of all others to us, ſhould be made Merchandize of to invite *Papiſts*, to invite Foreigners.

'Notwithſtanding their Intentions, let no Man's Heart be diſcouraged: You have Power enough in your Hands to bring all this Wickedneſs upon their own Heads, through God's Bleſſing: If you will uſe your Hands, if you will hold them up to ſerve your God, to defend the true Religion of Almighty God, to defend your Lives, to defend this Kingdom and the Parliament, you need not fear any Thing that can be done by this broken Army; nor fear thoſe Things that are here written in this *Letter*,

ter, nor thoſe Things that are falſly buzz'd abroad by a Malignant Party in your City, to amaze you. An. 18. Car. I. 1642. October.

'There is no Fear of Danger, but in Security, in ſitting ſtill; and therefore if you will be ſtirred up (as I cannot doubt, cannot imagine but you will) to do what every Man, both by the Law of God, and by the Law of Nature in this Caſe, will be induced to do, thro' God's Bleſſing, you ſhall both honour God, maintain the true Religion, ſave this Kingdom, ſave the Parliament, and crown your good Beginnings that God hath pleaſed to ſhew himſelf unto us in.

'This is not now a Time for Men to think with themſelves, that they will be in their Shops to get a little Money: This is a Time to do what you do in common Dangers; let every Man take his Weapons in his Hand, let him offer himſelf willingly to ſerve his God, and to maintain true Religion. You may remember what God ſaith by the Prophet, *My Heart is ſet upon thoſe People that are willing to offer themſelves willingly upon the high Places:* Let every Man therefore ſhut up his Shop, let him take his Muſket, let him offer himſelf readily and willingly; let him not think with himſelf who ſhall pay me; but rather think this, 'I'll come 'forth to ſave the Kingdom, to ſerve my God, to 'maintain his true Religion, to ſave the Parliament, 'to ſave this noble City; and when this Danger is 'overcome, I'll truſt the State that they will have 'a Regard unto whatſoever may be fit, either for 'my Reparation in any Loſs, or for my Reward.'

'Do as you do in common Dangers, as when there is a Houſe on Fire; Men aſk not who ſhall pay them their Day's Wages; but every Man comes forth of his Doors; helps to quench the Fire; brings a Bucket, if he has one; borrows one of his Neighbour, if he has not: When the Fire is quenched then the City will regard to repair any Man that has ſuffered all Day. That do you; every one bring forth his Arms, if he has any; if he has none, let him borrow them of his Neighbour,

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or he ſhall be arm'd by the State; let every Man arm himſelf and his Apprentices, and come forth with Boldneſs, and with Courage, and with Chearfulneſs, and doubt not but God will aſſiſt you; for this is God's Cauſe; and that ſhould be your Encouragement: They are *Papiſts*, they are *Atheiſts*, that come to deſtroy you: They come indeed, in the firſt and principal Aim, to deſtroy Religion: *Papiſts* are invited; they have Commiſſions. Are theſe the Men that ſhould defend the *Proteſtant* Religion, when they are *Papiſts* and *Recuſants?*.

'If you ſhall come forth, God will go forth with you, he will fight for you, he will ſave you; but how? He will not ſave you without yourſelves. You may remember what was ſaid, *Curſe ye* Meroz, *becauſe they came not out to help the Lord againſt the Mighty*. He needs not your Help, but he will uſe your Service, that he may bleſs you; and therefore let every Man be encouraged, let him ſhew his Readineſs, let him ſhew his Forwardneſs. Remember what the Scripture ſaith, *Hear, O* Iſrael, *God is with you ſo long as ye are with him.* The Lord will be with you in this Cauſe, for it is his Cauſe; but then you muſt ſhew yourſelves ready to be with him. But I need not uſe theſe Speeches to thoſe that have expreſſed, already, ſo much Affection as you have done; I ſhall only encourage you to go on: Be not therefore daunted; let not Malignant Parties, that go up and down, and would go about to inform you that there are theſe Fears and theſe Dangers, let them not, I ſay, make you be wanting to yourſelves; fear them not at all.

'I ſhall conclude with this which the good King ſaid, *Up and be doing, and the Lord be with you.*'

Then the Lord *Wharton* ſpoke again.

Gentlemen,

rd Wharton's ond Speech,

'I Shall trouble you but with a Word or two; the one is upon Part of that Narrative which I began withall; wherein, truly, I take myſelf to be

be very beholding to that Gentleman that ſpoke after me, that he did not forget to inform you of the extraordinary Bleſſing that God beſtowed upon the Courage of honeſt, pious, and religious Men; for, truly, there was very few that did any extraordinary Service, but ſuch as had a Mark of Religion upon them. An. 18. Car. I. 1642. October.

'That which I omitted to tell you was this, That one great Cauſe of our Preſervation, and of the Succeſs of that Day, was the Barbarouſneſs and Inhumanity of Prince *Rupert* and his Troops; who, while we were a-fighting, not only pillaged the Baggage, (which was a poor Employment!) but moſt barbarouſly kill'd the Country Men that came in with their Teems, and Women and Childen that were with them. This I think comes not amiſs to tell you, becauſe you may ſee what is the Thing they aim at, which is Pillage, and Baggage, and Plundering; and the Way which they would come by it is Murdering and Deſtroying: And therefore it will come in very properly, to encourage you to that Work, which the two Noble Lords have ſo well opened to you, which is the ſtanding upon your Defence.

'I ſhall only add, That when you ſhall have ſo done in that Meaſure, and in that Proportion, which we do not doubt but you will do, becauſe you have always ſhewed your Affections and your Wiſdoms to be ſo great in carrying on of this Buſineſs: I ſay, when you ſhall have ſo behaved yourſelves, there is no doubt but God's Bleſſing will be upon it; and you will be ſure to have an extraordinary Back, an extraordinary Aſſiſtance; for the Lord of *Eſſex*, with his whole Army, will be ſure to be on one Side, when you, with your Defence, will be on the other Side; and when that Army ſhall lye between theſe two, without Queſtion they will come to a very ſhort Concluſion: Then you may reap the Fruit of your Labours that you have been at, to your own Benefit and your Poſterity's.'

The

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The Earl of *Holland*'s Second Speech.

My Lord Mayor and Gentlemen,

Earl of Holland's Second Speech,

'IT is but a Word or two that I ſhall ſay to you, for the ſhutting up of this Buſineſs. The Danger hath been repreſented to you, we muſt deſire you likewiſe to conſider how near it moves, ſo that you muſt reſolve and act both together. We conceive this Army will be at *Oxford* as this Night, that is within ſuch a Diſtance as, within three Days, they may march to *London*. It is very neceſſary for you to provide againſt this, as a Danger that may be very ſuddenly upon you, if they ſhould chance to march before our Army; and with ſuch an Advantage as to break up Bridges, or any ſuch Thing as may hinder our Army to move preſently and ſuddenly after them. Conſider how open you are to this Danger, if you provide not preſently for it: Therefore, as we have given you Reaſons, and indeed as you may take almoſt from your own Reaſons, to defend yourſelves, it will be very neceſſary for you to look upon this as a Danger, that will not allow the Loſs of an Hour in providing againſt it: And that is all I ſhall ſay unto you.'

The Earl of *Pembroke* concluded in theſe Words:

My Lord Mayor and you Gentlemen,

And the Earl of Pembroke's concluding Speech.

'I Shall only ſpeak one Word more to you, and that concerns yourſelves moſt nearly. Tho' I have lived in this City, many Years, yet you that are Citizens, muſt know it better than I.

'You know you have a great and malignant Party in the City; you have now Time and Power to look to them, loſe no Time ſo to do; for if you leave that till a Time of Diſtraction, they will be a great deal bolder than now they are: You muſt therefore do it forthwith.'

Notwithſtanding theſe Military Exhortations to the Citizens of *London*, we find that, two Days after,

ter, a Motion was made in the Houſe of Lords, To take into Conſideration, how to prevent further Bloodſhed between the two Armies, and to conſider of ſome Means to beget a Peace betwixt them, which was agreed to:——But the further Proceedings, in conſequence of this Motion, being the principal Employment of both Houſes for ſeveral Weeks, will very properly begin our next Volume; as thereby the Reader will have a more compact View of this important Negotiation between the King and the Parliament.

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The Lords reſolve to take ſome Means for Peace.

The END of the ELEVENTH VOLUME.